

SESSION LAWS
OF
HAWAII

PASSED BY THE
SECOND STATE LEGISLATURE

REGULAR SESSION
1964

Convened on Wednesday, February 19
and
Adjourned Sine Die on Saturday, March 28

Published by Authority of the
Revisor of Statutes
Honolulu, Hawaii

A U T H O R I T Y

Section 4, Act 191, Session Laws of Hawaii 1959, provides as follows:

Section 4. Publishing of session laws. As soon as possible after the close of each session of the legislature, the revisor shall prepare for publication all laws duly enacted at such session, arranged, first the bills and then joint resolutions, in the order of their becoming law, together with a suitable index and tables showing what general statutes have been affected by such session laws.

P R E F A C E

This volume contains all the laws and proposed constitutional amendments passed by the Legislature at the General Session of 1964.

In preparing this volume, the text of the original laws and proposals has been followed, with the exception of palpable typographical errors.

HIDEHIKO UYENOYAMA
Revisor of Statutes

Honolulu, Hawaii
July 13, 1964

STATE OF HAWAII
ELECTED OFFICIALS AND LEGISLATIVE OFFICERS

UNITED STATES CONGRESS

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Daniel K. Inouye

House of Representatives:

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Spark M. Matsunaga

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Lieutenant Governor..... William S. Richardson

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SECOND STATE LEGISLATURE
REGULAR SESSION
1964

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Vice-President..... Kazuhisa Abe
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S. George Fukuoka (D)
Thomas S. Ogata (D)
Nadao Yoshinaga (D)

Sixth District—(Kauai)
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Noboru Miyake (R)
Clinton J. Shiraishi (R)

D—Democrats 15
R—Republicans 10

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	Ambrose Rosehill (R)
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	William E. Fernandes (D)
	Manuel Henriques (D)
	Tony T. Kunimura (D)

D—Democrats	40
R—Republicans	11

TABLE OF CONTENTS

	PAGE
List of Acts and Proposed Constitutional Amendments.....	viii
Text of Acts.....	1
Text of Proposed Constitutional Amendments.....	119
Tables Showing Effect of Acts:	
A. Sections of Revised Laws of Hawaii Affected.....	121
B. Session Laws of Hawaii Affected.....	122
General Index	123

**LIST OF ACTS AND PROPOSED CONSTITUTIONAL
AMENDMENTS OF THE SECOND STATE LEGISLATURE
REGULAR SESSION OF 1964**

ACT	BILL	SUBJECT	PAGE
1	H.B. 1	Legislative expenses—appropriation	1
2	S.B. 271	Tax maps—fees	2
3	S.B. 272	University of Hawaii—parking	3
4	S.B. 346	Civil defense—county government; continuity	4
5	H.B. 200	Children—foster care; tax exemption	5
6	H.B. 207	Tax clearance—licensing	5
7	H.B. 208	Real property tax—payment date	6
8	H.B. 378	Horizontal property act	7
9	H.B. 404	Abraham Kaahui—salary adjustment	8
10	H.B. 479	Special schools—principals	9
11	H.B. 556	Manpower development and training—matching funds	10
12	S.B. 24	Elections—canvass of votes	11
13	S.B. 33	Mental health—use of research information	12
14	S.B. 34	Mental health—hospital and medical facilities construction	13
15	S.B. 35	Podiatrists—prescriptions	14
16	S.B. 62	Public employees—holiday pay	15
17	S.B. 77	Lapse of appropriations—legislative funds	16
18	S.B. 302	Supplementary appropriation—social services department	17
19	S.B. 214	Poi shop—manufacturing restrictions	18
20	H.B. 4	Wages and salaries—time for payment	18
21	H.B. 9	Real property taxes—assessment; owner, lessee	19
22	H.B. 202	Public housing tenants—down payment reserve plan	20
23	H.B. 203	General excise, compensating and consumption taxes— quarterly returns	22
24	H.B. 204	Income tax—quarterly returns; employers	24
25	H.B. 205	Real property tax—minimum rate	25
26	H.B. 412	Drawbridge—Honolulu harbor	26
27	H.B. 498	Real property tax—home exemption	26
28	H.B. 507	Public employees—position downgrading	27
29	H.B. 567	Primary elections—voting machines; ballots	28
30	H.B. 166	Blind vendors—public buildings	29
31	H.B. 561	Waikiki-Kuhio beach improvements	30
32	S.B. 275	Services by state agencies—fees	32
33	H.B. 384	Firemen—sick leave	33
34	H.B. 407	Special funds—administrative expenses	34
35	H.B. 458	Public lands—rights of way	35
36	H.B. 514	Motor vehicle dealers—county boards; licensing	35
37	H.B. 562	Higher education facilities commission—establishment	38
38	H.B. 577	Surplus federal property—revolving fund	38
39	H.B. 257	Community colleges—establishment	39
40	S.B. 22	Capital improvements, 1962—amendments	41
41	S.B. 177	Business development corporations—amendments	41
42	S.B. 178	Capital loan program—amendments	43
43	S.B. 241	Public employees' health fund—contributions	44
44	H.B. 217	Fair employment practices—definitions; exceptions	45
45	H.B. 374	Game birds and animals—killing	46
46	H.B. 578	Special funds—amendments	47
47	H.B. 216	Public lands—residential subdivisions	48
48	H.B. 533	Negligent homicide—degrees; penalties	49
49	S.B. 132	Public lands—remnant sale	49
50	H.B. 2	General appropriation act—fiscal year 1964-1965	50
51	H.B. 167	Unemployment program—corps of civilian workers	74
52	S.B. 2	Capital improvement appropriations—fiscal year 1964-1965	74
53	S.B. 73	Retirement system—medical board decisions; appeals	97
54	S.B. 164	Airport employees—hazard pay	97
55	S.B. 250	Employment security law—contributions and coverage	98
56	S.B. 255	Employment relations board—hearings officer-counsel	102

ACT	BILL	SUBJECT	PAGE
57	S.B. 284	Capital improvements, 1962, 1963—amendments.....	103
58	S.B. 288	Industrial development—bonds	104
59	H.B. 373	Labor disputes—restrictions on public employees.....	107
60	H.B. 6	Teachers—salary adjustment	108
61	H.B. 10	Employment security law—weeks of employment.....	109
62	H.B. 26	Retirement system—amendments	110
63	S.B. 68	Police—compensation	117
64	H.B. 488	Pensioners—medical care	117

PROPOSED CONSTITUTIONAL AMENDMENTS

H.B. 19	Election—Lieutenant Governor	119
S.B. 7	Voters—literacy qualification	119
H.B. 253	University of Hawaii—Board of Regents.....	119
H.B. 421	Department of Education—Board; superintendent.....	120

Session Laws of Hawaii

Passed by the

Second State Legislature

Regular Session

1964

ACT 1

A Bill for an Act Appropriating Money for the Pre-Session and Other Expenses of the Budget Session of 1964 of the Second State Legislature of the State of Hawaii, for the Payment of Allowances for Personal Expenses of the Members of the Legislature, for the Payment of Expenses of any Committee or Committees of the Legislature for the Period Specified Herein, for Removing any Limitations Imposed by Section 5-16 of the Revised Laws of Hawaii 1955, as Amended, or any Other General Statute; and for the Payment of Allowances for Personal Expenses of Members of the Legislature.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. There is hereby appropriated from the general funds of the State the sum of \$405,000.00, or so much thereof as may be necessary, for defraying the pre-session and other expenses of the Senate for the Budget Session of 1964, Second State Legislature of the State of Hawaii, up to and including February 16, 1965.

SECTION 2. There is hereby appropriated from the general funds of the State the sum of \$585,000.00, or so much thereof as may be necessary, for defraying the pre-session and other expenses of the House of Representatives for Budget Session of 1964, Second State Legislature of the State of Hawaii, up to and including February 16, 1965.

SECTION 3. Any unencumbered balance of the appropriations provided for in sections 1 and 2 remaining at the close of the Budget Session of 1964 is hereby appropriated to defray the expenses of any committee or committees established by either the Senate or the House of Representatives, respectively. Payment of such expenses shall be made only with the approval of either the President of the Senate or the Speaker of the House of Representatives, respectively.

SECTION 4. Before February 17, 1965, the Senate and the House of Representatives shall have their accounts audited and a full report of such audit shall be presented to the Senate and to the House of Representatives of the Legislature convening on February 17, 1965.

SECTION 5. The expenses of any member of the Legislature while traveling abroad on official business of the Legislature shall not be limited by the provision of section 5-16 of the Revised Laws of Hawaii

ACT 2

1955, as amended, or by any other general statute. The expenses of such member shall be the higher sum allowed by section 2-20 of the Revised Laws of 1955, amended, and authorized by the President of the Senate or the Speaker of the House of Representatives, respectively.

SECTION 6. Each section of this Act is hereby declared to be severable from the remainder of this Act.

SECTION 7. This Act shall take effect upon its approval.

(Approved February 28, 1964.) **H.B. 1.**

ACT 2

A Bill for an Act Relating to the Regulation of the Use of Tax Map Tracings and the Imposition of a Charge for Tax Map Prints, and Amending Chapters 7 and 128 of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 7, Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding thereto a new section, to be appropriately numbered, and to read as follows:

"Section 7-..... Fees for the use of tax map tracings and charges for map prints. The Director of Taxation of the State of Hawaii is hereby authorized to contract with any person or firm for the use of the tax map tracings which have been prepared pursuant to section 128-8, Revised Laws of Hawaii 1955, as amended, under such terms and conditions as he may deem necessary and proper. He may charge a fee for the use of these tracings and may regulate the prices charged to the general public by these persons or firms using these tracings for copies or prints made therefrom.

"For the purposes of this section, the Director of Taxation may, in his discretion, award the contract or contracts for the use of these tax map tracings by calling for public bid.

"When a person purchases any tax map print or copy made from these tracings from any person or firm authorized to use these tracings as herein provided, he is required to pay a charge of 20 cents per such print or copy to the State of Hawaii. The person or firm authorized to use these tax map tracings shall collect these charges for such prints or copies for the State and shall remit these collections to the Director on a monthly basis.

"All moneys received under this section shall be deposited to the general fund of the State."

SECTION 2. Section 128-8, Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding thereto a new paragraph at the end of the section to read as follows:

"The Director of Taxation may charge fees for the use of tracings of these maps by private persons or firms and collect charges for map prints made therefrom as provided for in Section 7-....."

SECTION 3. This Act shall take effect upon its approval.

(Approved April 15, 1964.) **S.B. 271.**

ACT 3

A Bill for an Act Relating to Parking at the University of Hawaii and Amending Chapter 44 of the Revised Laws of Hawaii 1955, as amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Parking problems for the public, faculty, staff and students have continually plagued the administration of the university of Hawaii. The lack of parking facilities at the university has caused great inconvenience and traffic hazard, not only to the members of the university, but also to residents of the area. The administration believes that if it were authorized to deposit all parking fees into a revolving fund, the construction of adequate parking facilities may be commenced immediately with very little state general fund support. It is, therefore, urgent that such revolving fund be established and that the board of regents of the university of Hawaii be authorized to deposit all parking fees into such revolving fund.

SECTION 2. Chapter 44 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding a new part to read as follows:

"PART V. UNIVERSITY PARKING

"Section 44-80. Parking: control by board of regents. The board of regents may make rules and regulations governing the traffic and parking conditions on the roadways and other areas under the jurisdiction of the university.

"The board may assess fees for parking on roadways and in the parking areas under the jurisdiction of the university and may install parking meters on roadways and in parking areas and may make regulations relating to such assessments of fees for parking and such installation of parking meters. Such rules and regulations shall be adopted and promulgated pursuant to the provisions of chapter 6C.

"For the purposes of this part, parking facilities shall be considered as university projects and the board shall possess all powers conferred by part IV of this chapter.

"Section 44-81. Fines and other penalties. The board may enforce its rules and regulations by imposing fines not to exceed \$25 per violation or by removing the vehicle of the offender from the area within the university's jurisdiction, or both. The owner of any vehicle so towed away shall be responsible for and pay all costs incurred in such towing and storage. Any car so towed away and unclaimed 30 days thereafter shall be sold at public auction by the university. The university shall pay all costs of towing and storage and other costs connected with such sale out of the university parking revolving fund. The fund shall be reimbursed for such costs from the proceeds of such sale and the remaining balance, if any, shall be paid to the owner of the vehicle; provided that if the proceeds of such sale are not claimed by the owner of

the vehicle within 60 days after notice, such proceeds shall be deposited in the university parking revolving fund.

"Section 44-82. Revenue bonds. The board is authorized to issue sufficient amounts of revenue bonds pursuant to part IV of this chapter for the purpose of providing adequate parking structures or other facilities.

"Section 44-83. Revolving fund. There is hereby established in the state treasury a fund to be known as the university parking revolving fund. All fees, fines or other moneys collected under this part shall be deposited in this fund. All moneys in the fund are hereby appropriated for the purposes of and shall be expended by the board in the manner specified by section 44-70."

SECTION 3. Section 44-23 of the Revised Laws of Hawaii 1955, as amended, is hereby repealed in its entirety.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 15, 1964.) **S.B. 272.**

ACT 4

A Bill for an Act to Amend Chapter 359 of the Revised Laws of Hawaii 1955, as Amended, Relating to the Civil Defense and Emergency Act.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Civil defense is a matter of grave concern for us in Hawaii. Due to the strategic importance of Hawaii as a defense area, the unsettled condition of the world today, the dependence of the State upon seaborne commerce for food supplies and other commodities essential to the public health, safety, welfare and economic life of its people, and the constant possibility of disaster or emergencies of great destructiveness resulting from enemy attack, sabotage or other hostile action, it is urgent and important that adequate preparations be made in all areas of civil defense for any possible contingency.

At the present time, no line of succession for the governing officials of a county is provided in the event of an emergency. It is imperative and urgent that such a line of succession be provided to carry on the functions of government during the period of a civil defense emergency. Therefore, this Act is considered an urgency measure deemed necessary in the public interest.

SECTION 2. Section 359-13 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding subsection (i) after subsection (h) to read as follows:

"(i) Continuity of government. To insure continuity of government during a civil defense emergency period, the legislative body of a county may by ordinance, unless otherwise provided by law, provide for the procedure for the appointment and designation of stand-by officers for the legislative body and the elected chief executive of such county for

such emergency period, who shall serve in the event of the unavailability of the officers for whom they stand by."

SECTION 3. This Act shall take effect upon its approval.

(Approved April 15, 1964.) **S.B. 346.**

ACT 5

A Bill for an Act Relating to the Exemption of Funds Received from the State or a Private Eleemosynary Child-Placing Organization for the Operation of a Foster Home, and Amending Section 117-21, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

The provisions of Chapter 117, Revised Laws of Hawaii 1955, as amended, are not clear as to whether foster boarding parents who care for children for the state and eleemosynary child-placing organizations are operating a business. Therefore, it jeopardizes the foster care program of the agencies as well as foster parents who provide foster care to children who need such care, if the foster parents are assumed to be operating a business and are therefore subject to gross income tax.

SECTION 2. Section 117-21, Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding thereto a new section to be lettered (o) and to read as follows:

"(o) Money paid by the state or eleemosynary child-placing organizations to foster parents for their care of children in foster homes."

SECTION 3. This Act shall take effect upon its approval.

(Approved April 15, 1964.) **H.B. 200.**

ACT 6

A Bill for an Act Relating to Taxation and Amending Section 115-33, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Act 82, Session Laws of Hawaii 1963, eliminated the requirement imposed on applicants for certain licenses to obtain a tax clearance from the Department of Taxation as a condition to having their licenses renewed or issued. Applicants for other licenses, however, are still required to obtain tax clearances to be able to continue their operations.

This discriminatory treatment of the latter class is unfair and should not be permitted to continue.

Moreover, the practice of having a person clear up all his back taxes before he can continue to pursue his livelihood is repugnant to our established way of life.

Therefore, this Act is considered an urgency measure deemed necessary in the public interest.

SECTION 2. Section 115-33, Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

Section 115-33. Tax Clearance before procuring liquor licenses. No liquor licenses shall be issued or renewed unless the applicant therefor shall present to the issuing agency, a certificate signed by the director of taxation, showing that the applicant does not owe the State any delinquent taxes, penalties or interest.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 15, 1964.) **H.B. 207.**

ACT 7

A Bill for an Act Relating to Real Property Tax Bills and Payment Dates and Amending Chapter 128 of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

The department of taxation is engaged in the process of attempting to simplify procedures with respect to the payment and collection of taxes with a view towards increasing efficiency and reducing the costs involved.

The changing of the real property tax billing and payment dates will result in the work of the staff in billing, collecting and accounting being more equitably spread out over a longer period than is now the case. This would also result in the more efficient utilization of available manpower.

This Act is, therefore, considered to be an urgency measure deemed necessary in the public interest.

SECTION 2. Section 128-31, Revised Laws of Hawaii 1955, as amended, is hereby further amended by amending the first sentence of the second paragraph thereof to read as follows:

"Each tax collector shall mail, postage prepaid, or deliver, each year on or before the billing dates as provided for by section 128-32, to all known persons assessed for real property taxes in his division for such year, respectively, tax bills demanding payment of taxes due from each of them respectively, but no person shall be excused from the payment of any tax or delinquent penalties thereon by reason of failure on his part to receive, or failure on the part of the tax collector so to mail or deliver such bill."

SECTION 3. Section 128-32, Revised Laws of Hawaii 1955, is hereby amended by deleting it in its entirety and substituting the following in lieu thereof:

"Sec. 128-32. Taxes; due when; installment payments; billing and delinquent dates. All real property taxes shall be due and payable on and after January 1 in each year and the payment thereof shall be determined in the following manner:

"The director of taxation shall, in each year, arrange the total parcels of real property in each taxation division into three groups designated as Groups I, II, and III. He shall then assign each parcel to one of these groups in such a manner as to insure that the real property taxes due on the first payment date for those parcels assigned to Groups I and II shall amount to not less than 33 1/3% of the estimated real property taxes for the current year. All known persons assessed for real property taxes shall be billed not later than the billing date designated in the schedule listed herein subject, however, to the limitations heretofore provided in section 128-31. Each taxpayer shall pay the real property taxes due from him, for the year in which the taxes are assessed, in two equal installments on or before the dates designated for the group to which his parcel is assigned in accordance with said schedule as follows:

	(Billing Date)	(1st Payment)	(2nd Payment)
GROUP I	May 5	May 15	September 15
GROUP II	June 5	June 15	October 15
GROUP III	June 15	June 25	October 25

All such taxes due on the first payment date of such year from each taxpayer in each respective group, which remain unpaid after said date, shall thereupon become delinquent, and the balance of such taxes due on the second payment date of such year from each taxpayer in each respective group, which remain unpaid after said date, shall thereupon become delinquent.

SECTION 4. This Act shall take effect on January 1, 1965.

(Approved April 15, 1964.) **H.B. 208.**

ACT 8

A Bill for an Act Relating to Horizontal Property Regimes and Amending Act 180, Session Laws of Hawaii 1961, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency [sic] deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Section 13 of Act 180, Session Laws of Hawaii 1961, as amended by Act 101, Session Laws of Hawaii 1963, prevents the conveyance or lease of any condominium apartment until the completion of the construction of the condominium apartment. Such restriction on conveyance or lease of condominium apartment units to individual purchasers impedes the development of condominium apartments and stifles the economic growth of the State.

SECTION 2. Section 13 of Act 180, Session Laws of Hawaii 1961, as amended by Act 101, Session Laws of Hawaii 1963, is hereby further

amended by deleting the second sentence thereof in its entirety and substituting therefor the following:

"If such plans do not include a verified statement by such architect or engineer that such plans fully and accurately depict the layout, location, apartment numbers and dimensions of the apartments as built, there shall be recorded within thirty (30) days from the date of completion of the building or buildings as 'date of completion' is defined in Section 193-42 of the Revised Laws of Hawaii 1955, or from the date of occupancy of said building or buildings, whichever shall first occur, an amendment to the declaration to which shall be attached a verified statement of a registered architect or professional engineer certifying that the final plans theretofore filed, or being filed simultaneously with such amendment, fully and accurately depict the layout, location, apartment numbers and dimensions of the apartments as built."

SECTION 3. Act 180, Session Laws of Hawaii 1961, is hereby further amended by adding a new section to be appropriately numbered and to read as follows:

"Section Financing Construction. Should the apartments be conveyed or leased prior to the completion of construction of the building or buildings for the purpose of financing such construction, all moneys from the sale of such apartments, including any payments made on loan commitments from lending institutions, shall be deposited by the developer in a trust fund with a bank, savings and loan association or trust company authorized to do business in the State under an escrow arrangement. Disbursements from such fund may be made, from time to time, to pay for construction costs of the building or buildings in proportion to the valuation of the work completed by the contractor as certified by a registered architect or professional engineer, and for architectural, engineering, finance and legal fees and for other incidental expenses of the condominium project as approved by the mortgagee. The balance of the moneys remaining in such trust fund shall be disbursed only upon completion of the building or buildings, free and clear of all mechanic's and materialman's liens. The commission may impose other restrictions relative to the retention and disbursement of the trust fund."

SECTION 4. This Act shall take effect upon its approval.

(Approved April 15, 1964.) **H.B. 378.**

ACT 9

A Bill for an Act Making an Appropriation for Compensation to Abraham Kaahui in Accordance with Section 38-32, Revised Laws of Hawaii 1955, as Amended, and Relating to Retroactive Salary Adjustment for all Teachers Who Served in the Military Service After December 7, 1941.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Section 38-32, Revised Laws of Hawaii 1955, as amended, provides that a teacher who serves on active duty with the armed forces of the United States shall be given credit by the department of education for his military service in the determination of his salary. Under this section teacher Abraham Kaahui is entitled to retroactive salary adjustment by reason of military service credit.

SECTION 2. There is hereby appropriated out of the general revenues of the State of Hawaii, not otherwise appropriated, the sum of \$1,080, or so much thereof as may be necessary, for compensation to Abraham Kaahui for salary adjustment by reason of military service credit to which he is entitled under section 38-32, Revised Laws of Hawaii 1955, as amended, for the school years 1959-61.

SECTION 3. The sum hereby appropriated shall be expended for the purposes herein specified by the department of education.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 15, 1964.) **H.B. 404.**

ACT 10

A Bill for an Act Relating to Compensation of Principals of Special Schools.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

It is a matter of great urgency that principals of special schools be placed within a salary range commensurate with the unique responsibilities of their work assignments. Under Act 28, Session Laws of Hawaii 1962, no provisions were established to recognize the need for adjustment of their classification, thus principals of Diamond Head School (for the deaf and blind), Olomana, Linekona (M. R. students), Pohukaina (orthopedic and M. R. Trainable students, and Hoomana Vocational (prison inmates) were classified as Teaching Principals (EOSR 2—\$573-\$732).

Under the proposed index system of determining numbers of pupils for classification purposes, the salaries would be more nearly adjusted to principalship responsibilities than under the present Act 28. For example, Diamond Head School has 20 teachers, 20 staff members (including cooks, custodians, nurse, secretary), and 120-125 students who are boarders. The principal is virtually on 24-hour call, yet his pay is equivalent to that of a principal in a school with two to six teachers.

In reference to the technical schools, Act 28 places Maui and Kauai Technical principalships under the classification of Teaching Principals and all other technical schools, as well as Lahainaluna High (with boarding students), under Principal I.

In illustrating the situation that can exist in a technical school, take for example a teacher on maximum Step 9 salary range earning \$664 and

a newly appointed principal in the same school who may be at Step 2 salary range earning \$602. Although the theory that there may be teachers who deserve more than administrators just beginning does have its merits, such a situation existing in the same school may be opportune for the development of problems of control and authority. Whereas the technical schools once attracted principals, this is no longer true.

SECTION 2. Section 8 of Act 28, Session Laws of Hawaii 1962, is hereby amended by adding below the heading "POSITIONS-EDUCATIONAL OFFICERS' SALARY RANGE" the following:

PRINCIPAL—Diamond Head School.....	EOSR 4
PRINCIPAL—Olomana School	EOSR 3
PRINCIPAL—Linekona School	EOSR 3
PRINCIPAL—Hoomana Vocational School.....	EOSR 3
PRINCIPAL—Pohukaina School	EOSR 3
PRINCIPAL—Lahainaluna High School.....	EOSR 4
PRINCIPAL—Technical Schools	EOSR 3

SECTION 3. There is hereby appropriated from the general revenue of the State, not otherwise appropriated, the sum of \$1,280, or so much thereof as may be necessary to carry out the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 1964.

(Approved April 15, 1964.) **H.B. 479.**

ACT 11

A Bill for an Act Providing for the Authorization of Money to Match Federal Payments for Fiscal Year 1966 Under the Manpower Development and Training Act of 1962, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

The 1963 amendments to the federal Manpower Development and Training Act extended the 100 percent federal financing of training allowances (or as reimbursement for unemployment compensation) to June 30, 1965. For the fiscal year ending June 30, 1966, the states are required to bear 33⅓ percent of all such payments. For each of the succeeding fiscal years, the states are required to bear one-half of such payments. If the State fails to provide such matching funds as required under the federal act, the entire program in Hawaii will be terminated on June 30, 1965.

Seemingly, legislative action in 1965 would be the appropriate time to consider Manpower Development and Training Act financing for fiscal year 1966. However, such action, if delayed until 1965, would cause irreparable harm to the program insofar as the long-range training programs are concerned. For example, a 52-week training program commencing after the first week in July 1964 would necessarily run into

fiscal 1966. Such programs will not be approved for payments by the Secretary of Labor unless the state has agreed to participate in the financing.

In addition, if we wait until the 1965 legislative session to consider this measure, we may be forced to decrease the number of training programs. For instance, if there are three remaining months in fiscal 1965, the state will be prohibited from effecting a four-month training program.

It is therefore urgent that this measure be approved and enacted in this 1965 [sic] legislative session to insure a continuation of training programs under the Manpower Development and Training Act.

SECTION 2. The Department of Labor and Industrial Relations is hereby authorized to participate in the Manpower Development and Training Act of 1962, as amended, by providing from funds appropriated by the legislature for such purpose, in accordance with and to the extent required by the federal act, amounts necessary to match the amounts expended by the United States Treasury.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 15, 1964.) **H.B. 556.**

ACT 12

A Bill for an Act Relating to Canvass of Votes.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11, of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

At present the election laws relating to voting machines, provide that after the canvass of votes on a voting machine, the lieutenant governor or the county clerk in the presence of any circuit court judge shall verify the statements of canvass.

For the 1964 presidential, congressional, state and county elections there will be a total of 138 voting machines in use in the State: 96 on Oahu and 42 in the neighbor islands. Ninety-six of these will be in use for the first time in 1964. The present requirement that the named officers themselves verify the statements of canvass may unduly hamper verification of canvass and delay the setting up of the machine, especially after the primary election.

SECTION 2. Section 11-194, Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding the following to the last paragraph thereof:

"The lieutenant governor, clerk or circuit judge may, by written appointment, designate representatives to act for him for the purposes of this paragraph; provided that such appointees shall not be election inspectors or precinct election clerks."

SECTION 3. This Act shall take effect upon its approval.

(Approved April 20, 1964.) **S.B. 24.**

ACT 13

A Bill for an Act Relating to Information Received by the Department of Health in Making Studies Related to Problems of Mental Health and Mental Retardation.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Congress has appropriated over \$330,000 for the current year for the purpose of aiding the State of Hawaii to develop a mental health plan. Such a plan must be based on current and accurate information in order to assess the needs in mental health and mental retardation.

For mental health planning, it is essential to know the actual prevalence of mental illness, emotional disorders and mental retardation in the total community, and this information is not currently available in Hawaii except for those state facilities reporting to the central statistical unit, mental health division, department of health. Based on studies done in other states, the above sources take care of less than half the mentally ill in a community, the private and voluntary facilities and private practitioners taking care of the majority of cases.

Experience in relation to studies to secure information required for mental health, has clearly demonstrated that private agencies and physicians have been unable to provide this information in the absence of legal protection even though they are desirous of cooperating.

In order to develop the most meaningful mental health plan for the State of Hawaii by utilizing all available sources and to insure that the State qualifies for the appropriated Federal funds, sufficient legal protection must be provided private agencies and physicians.

SECTION 2. Any person, public or private medical facility, or social or educational agency, may provide information, interviews, reports, statements, memoranda, or other data or relevant material relating to individuals to the department of health to be used in the course of any study for the purpose of reducing morbidity or mortality resulting from mental illness or mental retardation, and no liability of any kind or character for damages or other relief shall arise or be enforced against any person or organization by reason of having provided such information or material, or by reason of having released or published the findings, conclusions and summaries of such research or study committees to advance medical research and medical education.

SECTION 3. Said material shall be used or published only for the purpose of advancing medical research, medical education or education of the public in the interest of reducing morbidity or mortality. The identity, or any group of facts which tends to lead to the identity, of any person whose condition or treatment has been studied shall be confidential and shall not be revealed in any reports or any other matter prepared, released or published by such research or study committees under any circumstances.

SECTION 4. Any findings, conclusions or summaries resulting from medical studies within the scope of this Act shall not be used or made

available in any legal proceeding. Any information provided to any research or study committee shall not be used or made available in any legal proceeding unless it is unobtainable from the original source. In such event, the judicial officer shall in chambers inspect the committee's findings, conclusions or summaries and make available factual information contained therein.

SECTION 5. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and fined not more than \$500.

SECTION 6. If any provision of this Act is held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Act.

SECTION 7. This Act shall take effect upon its approval.

(Approved April 20, 1964.) **S.B. 33.**

ACT 14

A Bill for an Act to Amend the Definition of "The Federal Act" as it Appears in Chapter 48A-2, Revised Laws of Hawaii 1955, as Amended (1961 Supplement), Relating to Hospital and Medical Facilities Construction.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11, Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

In order to receive federal funds and to comply with federal regulations under the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164), it is necessary that section 48A-2(b), Revised Laws of Hawaii 1955, as amended (1961 Supplement) be broadened to include Public Law 88-164. At present it covers only Title VI of the Public Health Service Act. Otherwise, the State would be unable to secure federal funds under the current mental retardation program. The federal government also requires that a State agency be designated the sole agency for implementing the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164).

SECTION 2. Section 48A-2(b), Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

"(b) 'The Federal Act' means Title VI of the Public Health Service Act (42 U.S.C. Section 291 et seq.) with respect to hospitals and medical facilities and other facilities related to each, and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164) with respect to facilities for the mentally retarded and community mental health centers, both as now and hereafter amended, or any other Act of Congress existing or hereafter enacted which relates to the planning, survey and construction of hospitals and medical facilities and other facilities related to each."

SECTION 3. Chapter 48A, Revised Laws of Hawaii 1955, as

amended, is hereby amended by adding thereto a new section, to be designated section 48A-3.1, to read as follows:

“48A-3.1. The state department of health shall be the sole agency for implementing the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (Public Law 88-164) or any other Act of Congress hereafter enacted which relates to the planning, survey and construction of hospitals and medical facilities and other facilities related to each.”

SECTION 4. This Act shall take effect upon its approval.

(Approved April 20, 1964.) **S.B. 34.**

ACT 15

A Bill for an Act Relating to the Authority of Podiatrists to Write Drug Prescriptions and of Pharmacists to Fill Such Prescriptions.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11, Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

The provisions of chapter 51 (food, drug and cosmetics) and chapter 71 (pharmacists and pharmacy), Revised Laws of Hawaii 1955, as amended, do not authorize podiatrists to prescribe prescription drugs. However, it has recently come to the attention of the department of health that podiatrists in Hawaii have been prescribing these drugs for many years in ignorance of the fact that they were not so authorized by law. The podiatrists state that the prescribing of such drugs is a necessary and vital part of their professional practice.

The department of the attorney general has recently advised that existing laws do not authorize podiatrists to prescribe prescription drugs, thus causing such activity to cease.

In 1959 the legislature authorized podiatrists to prescribe narcotic drugs (Act 71, Session Laws of Hawaii 1959), but failed to extend this authority to non-narcotic prescription drugs. The department of health, after a study of the facts involved, feels that within the course of their professional practice only [which is regulated pursuant to the authority granted in section 46-15, Revised Laws of Hawaii 1955, as amended], the podiatric profession appears to be well qualified by training to prescribe prescription as well as narcotic drugs.

The amendments to the pertinent sections of the law as enumerated below will remedy the unnecessary restriction and hardship placed on the podiatrists and authorize podiatrists to function to the full capabilities of their profession in serving the public.

SECTION 2. Chapter 51 of the Revised Laws of Hawaii 1955 is hereby amended by inserting the word “podiatric” between the words “osteopathic” and “dental” wherever the phrase “medical, osteopathic, dental or veterinary profession” appears in said chapter.

SECTION 3. Section 51-15, Revised Laws of Hawaii 1955, as amended, is hereby further amended in the following respects:

(a) By redesignating subsection "l" as subsection "m";
(b) By adding thereto a new subsection to be designated "(l)" to read as follows:

"(1) Unless it is sold on the written or oral prescription of a member of the medical, osteopathic, podiatric, dental or veterinary profession in the course of such member's professional practice only."

SECTION 4. Section 71-1(e), Revised Laws of Hawaii 1955, is hereby amended to read as follows:

"(e) Prescription. 'Prescription' means and includes an order or formula issued by a licensed practitioner of medicine, osteopathy, podiatry, dentistry or veterinary medicine, for the compounding or dispensing of drugs."

SECTION 5. Section 71-19, Revised Laws of Hawaii 1955, is hereby amended to read as follows:

"Application of Law. This chapter shall not apply to any legally licensed practitioner of medicine, osteopathy, dentistry or veterinary medicine when he is handling drugs in the course of his professional duties or prohibit such practitioner or a podiatrist from personally supplying his own patients with such remedies as he may desire within the course of his professional practice only."

SECTION 6. This Act shall take effect upon its approval.

(Approved April 20, 1964.) **S.B. 35.**

ACT 16

A Bill for an Act Relating to Hours of Work of Public Employees.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Section 1-43, Revised Laws of Hawaii 1955, as amended, which establishes State legal holidays, provides that (1) when a holiday falls on a Saturday and is observed as a national holiday, the preceding Friday shall be observed as a holiday. For public employees who are on a regular schedule that is other than a Monday through Friday schedule (i.e. for whom such Saturday is a regular workday), the statute is not clear as to whether they may be required to observe Saturday as a holiday rather than Friday as prescribed in section 1-43. A similar question arises with respect to that provision in said section 1-43 which provides that whenever a holiday falls on a Sunday the following Monday shall be observed as a holiday, and its application to those public employees for whom Sunday is a regular work day. There are also other aspects of holidays affecting pay and leave of public employees that should be cleared. It is in the public interest that public employees know the policy of the State thereon and that the proper manner of expenditure of public funds for compensation and leave purposes be made clear promptly. Accordingly, it is urgent that this bill be passed at this session.

SECTION 2. Paragraph (b) of section 5-72, Revised Laws of Hawaii 1955, as amended, is hereby further amended by deleting said paragraph and substituting the following in lieu thereof:

"(b) Except as otherwise provided in this section the normal work week of all government personnel shall be forty hours with not more than eight hours of work in any day. The normal work week shall be applicable to all such personnel, irrespective of whether their work is performed during the hours specified in section 5-70.

"For pay and leave purposes, if a legal holiday falls on a Saturday and the preceding Friday is observed as a holiday pursuant to section 1-43:

"(1) For employees whose regular work week does not include Saturday the work day preceding such Saturday shall be held and considered to be a legal holiday in lieu of such holiday which so occurs on such Saturday.

"(2) For employees whose regular work week includes Saturday, such holiday shall be observed on Saturday, but not on Friday.

"For pay and leave purposes, if a legal holiday falls on a Saturday and the preceding Friday is not observed as a holiday, employees whose regular work week includes Saturday shall be entitled to observe such holiday.

"For pay and leave purposes, if a legal holiday falls on a Sunday and the following Monday is observed as a holiday pursuant to section 1-43:

"(1) For employees whose regular work week does not include Sunday, the next regular work day following such Sunday shall be held and considered a legal holiday, in lieu of such holiday which so occurs on such Sunday.

"(2) For employees whose regular work week includes Sunday, such holiday shall be observed on Sunday, but not on Monday.

"For pay and leave purposes if a legal holiday falls on a regular weekly non-work day of any employee whose regular work week is other than Monday-Friday, the next work day following such regular weekly non-work day shall be held and considered to be a legal holiday for such employee in lieu of such day which so occurs on such regular weekly non-work day."

SECTION 3. This Act shall take effect upon its approval.

(Approved April 20, 1964.) **S.B. 62.**

ACT 17

A Bill for an Act Relating to the Lapsing of Balances of Appropriations.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

The state legislature finds itself without sufficient funds to continue existing programs or to increase appropriations for deserving and im-

portant state programs. Every available source of revenue must be utilized to meet the crisis. It is therefore urgent that balances of appropriations be lapsed into the general fund.

SECTION 2. Any law to the contrary notwithstanding, the unencumbered balances in the following acts are hereby lapsed into the general fund:

- (a) Act 1 of the Session Laws of Hawaii 1963;
- (b) Act 1 of the Session Laws of Hawaii 1962;
- (c) Act 1 of the Session Laws of Hawaii 1961;
- (d) Act 1 of the Second Special Session Laws of Hawaii 1959;

SECTION 3. This Act shall take effect upon its approval.

(Approved April 20, 1964.) **S.B. 77.**

ACT 18

A Bill for an Act Relating to the Department of Social Services; Making Supplementary Appropriations Out of the General Revenues to Cover Certain Deficiencies for the Fiscal Year Ending June 30, 1964.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This bill is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Act 202, Session Laws of Hawaii 1963, appropriated a certain designated sum to the Department of Social Services to provide payments for medical services to indigents and medical indigents under the department's Economic Assistance program for the fiscal period beginning July 1, 1963, and ending June 30, 1964.

To the best of its ability, the department is trying to operate within the appropriated amount for the fiscal year 1963-1964. However, increases in caseloads and in average medical costs per case have forced the department to expect that expenditures will exceed its appropriation under Act 202. To avoid a breakdown in services, it is urgent that this bill be enacted.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated for the purpose hereinafter specified, in addition to any appropriations made for the same purposes by any other act, out of moneys in the treasury received from general revenues:

SOCIAL SERVICES, DEPARTMENT OF	
Payments for Indigents and Medical Indigents.....	\$873,031

SECTION 3. All unexpended and unencumbered balances of the appropriation made by this bill as of the close of business on June 30, 1964, shall lapse into the general fund of the State.

SECTION 4. This bill shall take effect upon its approval.

(Approved April 20, 1964.) **S.B. 302.**

ACT 19

A Bill for an Act Relating to Food Sales and Processing and Amending Chapter 51, Revised Laws of Hawaii 1955.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the remaining of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Certain provisions in the food, drugs and cosmetics law prevent manufacturers of poi, paiai or ulu, also known as breadfruit poi, from engaging in the processing of other food products. Legislation is urgent to remove this uneconomic impediment to diversification of food processing.

SECTION 2. Section 51-52, Revised Laws of Hawaii 1955, is hereby amended by deleting therefrom the third sentence and substituting in lieu thereof two sentences to read as follows:

"No such shop or building shall be maintained, used or operated for any other purpose than the manufacture of poi, paiai or ulu, also known as breadfruit poi; provided other food products may be manufactured in such shop or building upon the approval of the director of health. No such shop or building shall be maintained, used or operated unless only pure water is used thereat and proper drainage maintained therefor; nor unless it is kept so screened as to prevent flies and insects from entering therein; nor unless all implements, tools, machinery, containers and all other utensils used for or in connection with the manufacture, distribution or storage of poi, paiai or ulu, also known as breadfruit poi are sterilized each time before being so used; nor if any person or individual is employed or engaged in or about such shop or building who is afflicted with any contagious or infectious disease or any disease which in the opinion of the department of health, may contaminate or infect the poi, paiai or ulu, also known as breadfruit poi."

SECTION 3. This Act shall take effect upon its approval.

(Approved April 20, 1964.) **S.B. 214.**

ACT 20

A Bill for an Act Relating to Payment of Wages and Amending Chapter 95, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

The requirement of a semi-monthly payroll is inconvenient and unjust in certain cases. Employees themselves may prefer an alternative plan. Certain business operations may be extremely inconvenienced by such a requirement. It is necessary to enact legislation that will permit

greater flexibility to employer and employees in certain situations and will permit the director of labor and industrial relations greater discretion in administering the Act.

SECTION 2. Section 95-2, Revised Laws of Hawaii 1955, as amended by Act 158, Session Laws of Hawaii 1963, is hereby amended to read as follows:

"Section 95-2. Semi-monthly payday. (a) Every employer shall pay all wages due to his employees at least twice during each calendar month, on regular paydays designated in advance by the employer, in lawful money of the United States or with checks convertible into cash on demand at full face value thereof; provided, that when a majority of an employer's employees or a majority of the employees in a collective bargaining unit recognized by an employer or established by law elect, in a secret ballot election under procedures approved by the director, to be paid once a month on a regularly scheduled basis, said employees shall be paid on such monthly basis. Such elections shall not be held more frequently than once in every two years.

(b) The earned wages of all employees shall be due and payable within seven days after the end of each pay period.

(c) The director may, upon application showing good and sufficient reasons, permit an employer to:

(1) Establish regular paydays less frequently than semi-monthly provided that the employee shall be paid in full at least once each calendar month on a regularly established schedule;

(2) Pay earned wages within fifteen days after the end of each pay period."

SECTION 3. The provisions of this Act are declared to be severable, and if any portion of this Act or the application thereof is held to be invalid for any reason, the validity of the remainder of this Act or the application of such portion shall not be affected thereby.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 21, 1964.) **H.B. 4.**

ACT 21

A Bill for an Act Relating to the Imposition of Real Property Taxes and Amending Chapter 128 of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

The provisions of the present Internal Revenue Code allow the person upon whom the state taxes are imposed to obtain the benefit of deducting state taxes from their gross income. Thus, lessees of long term residential leases are presently unable to deduct the real property taxes paid by them from their gross income when computing their federal income taxes. Instead, the lessors who are, in most cases, not

paying the real property taxes, are allowed to deduct these taxes from their gross income. It is therefore urgent that this situation be corrected so that lessees who are actually paying the real property taxes receive the deduction.

SECTION 2. Section 128-4 of the Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

"Sec. 128-4. Assessment of property; to whom in general. Real property shall be assessed in its entirety to the owner thereof; provided that where land has been leased for a term of fifteen years or more, the real property shall be assessed in its entirety to the lessee or his successor in interest holding the land for such term under such lease and such lessee or successor in interest shall be deemed the owner of the real property in its entirety for the purposes of this chapter.

For the purposes of this chapter, life tenants, executors, administrators, trustees, guardians or other fiduciaries may be, and persons holding government property under an agreement for the conveyance of the same to such persons shall be considered as owners as to any real property held or controlled by them as such. Lessees holding under any government lease shall be considered as owners during the time any real property is held or controlled by them as such, as fully provided in section 128-22. Persons holding any real property under an agreement to purchase the same, shall be considered as owners during the time the real property is held or controlled by them as such; provided the agreement to purchase (1) shall have been recorded in the bureau of conveyances, and (2) shall provide that the purchasers shall pay the real property taxes levied on the property."

SECTION 3. Section 128-12 of the Revised Laws of Hawaii 1955, as amended, is hereby amended by deleting therefrom the second sentence.

SECTION 4. This Act shall take effect on January 1, 1965.

(Approved April 21, 1964.) **H.B. 9.**

ACT 22

A Bill for an Act Relating to the Hawaii Housing Authority; Authorizing it to Develop and Administer a Housing Program and a Voluntary Down Payment Reserve Plan; and Amending Chapter 77 of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

By Senate Concurrent Resolution No. 58, 1963, the Hawaii Housing Authority was requested to study the feasibility of "an intermediate housing program whereby housing would be provided and a portion of the rent therefrom credited to the tenant in a forced and protected savings," which is to be used on a down payment on a private home.

This study has been completed and the plan found to be feasible and there is a sufficiently large pool of interested families from which the Authority can select participants.

Since the accumulation of "forced savings" in an amount sufficient for down payment on a house will usually take at least three (3) years, it is urgent that the plan be put into effect as soon as possible.

SECTION 2. Chapter 77 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding a new part thereto, to read as follows:

"PART V. DOWN PAYMENT RESERVE PLAN

Section 77-100. Authority to develop and administer a housing program with a down payment reserve plan. The Authority shall develop and administer a housing program providing that a portion of the rent therefrom shall be placed in a down payment reserve plan fund. This shall be in connection with the Authority's permanent non-subsidized program only.

Section 77-101. Eligibility for voluntary participation. Every eligible present and future tenant, in each of the Authority's permanent non-subsidized housing projects, shall have an opportunity to voluntarily participate in the plan. Eligibility standards are to be set by the Authority based on proof of sufficient effective income.

"Participation is limited to families whose income at the time of admission does not exceed the then established limits for continued occupancy in the projects; these limits are subject to revision to reflect changes in the economy.

Section 77-102. Rent rates. Rent shall be charged by the Authority using as a basis for computation that formula used by it in determining the rent to be charged tenants in federally subsidized housing for families of low income.

Section 77-103. Down payment reserve plan. A participant's down payment reserve shall be credited with the difference between the Authority's per unit operating cost and the amount paid by him as rent. All such funds shall be inalienable by any assignment, attachment, garnishment, execution or otherwise. Down payment reserve funds shall be kept in a special account by the Authority.

Section 77-104. Payment of down payment reserve. When a participant has found a home, suitable to his needs and means, as approved by the Authority, the Authority will then pay the amount in the participant's down payment reserve fund to the seller.

Section 77-105. Involuntary withdrawal. A participating tenant shall be required to purchase a suitable low cost home, or withdraw from participation in the plan, when his reserve is sufficient for a down payment as determined by the Authority.

Section 77-106. Optional withdrawal. A participant may withdraw from the plan at any time, by notice in writing to the Authority.

Section 77-107. Effect of withdrawal. A participant who withdraws from the program without purchasing a home shall retroactively be charged a rental for his period of occupancy at a rate no less than that which would have been charged a non-participating tenant in similar

housing; this additional rental shall be a charge against his reserve and a credit to project revenue, the sum then remaining to his account in the fund shall be returned to him."

SECTION 3. This Act shall take effect upon its approval.

(Approved April 21, 1964.) **H.B. 202.**

ACT 23

A Bill for an Act Relating to Taxation to Permit Quarterly Filing of Returns and Quarterly Payment of General Excise, Compensating and Consumption Taxes, and Amending Chapters 117, 118, and 119, of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

The Department of Taxation, as a result of its tax simplification studies, now recommends legislative changes which will simplify tax reporting by the taxpayer and will also simplify processing of such reports by the Department. Certain statistical information in this area will be more readily available.

It is expected that the simplifications when fully effected will reduce workload, thus offsetting any need for increase in personnel in these programs to meet greater volumes of returns each year.

This improved system will be of immediate benefit to the taxpayers and the Department and is necessary prior to statewide use of automatic data processing.

One phase of this overall program is to permit taxpayers to file their general excise, compensating, and consumption tax returns and to make payments thereon on a quarterly basis under conditions as set forth in this Act. A recent survey conducted by the Department for the First Taxation Division disclosed that approximately twenty thousand general excise tax licensees who presently file monthly returns are eligible to file quarterly returns under the terms of this Act. This will result in reducing the monthly record-keeping workload and the time saved could be utilized toward a more concentrated and productive audit and enforcement program.

Therefore, this Act is considered an urgency measure deemed necessary in the public interest.

SECTION 2. Section 117-25, Revised Laws of Hawaii 1955, as amended, is hereby further amended by amending the second paragraph thereof to read as follows:

"Notwithstanding the foregoing, the director may, for good cause, permit a taxpayer to file his return required under the provisions of this section and make payments thereon on a quarterly basis during the calendar year, such return and payment to be made within twenty days after the close of each quarter, to wit, on or before April 20, July 20, October 20, and January 20; provided that the director is satisfied that

the grant of such permit will not unduly jeopardize the collection of the taxes due thereon and further that the director is satisfied that the taxpayer's total tax liability for the calendar year under the provisions of this chapter will not exceed \$200. The director may also, for good cause, permit a taxpayer to make monthly payments based on his estimated quarterly liability, provided the taxpayer file a reconciliation return at the end of each quarter during the calendar year, as heretofore provided.

"In the event that a taxpayer filing his return on a quarterly basis, as herein provided, becomes delinquent in either the filing of his return or the payment of the taxes due thereon, or in the event that the liability of a taxpayer, who possesses a permit to file his return and to make payments on a quarterly basis exceeds \$200 in general excise taxes during the calendar year, or in the event that the director determines that any such quarterly filing of return would unduly jeopardize the proper administration of the provisions of this chapter, including the assessment or collection of the general excise tax, the director may, at any time, revoke a taxpayer's permit, in which case the taxpayer will then be required to file his return and make payments thereon as herein provided in the first paragraph of this section.

"The director may adopt and promulgate rules and regulations to carry out the purposes of this section."

SECTION 3. Section 118-4, Revised Laws of Hawaii 1955 is hereby amended by amending the second, third, and fourth sentences in the first paragraph thereof to read as follows:

"The return shall be accompanied by a remittance in full of the tax, computed at the rate specified in section 118-2, upon the price so returned; provided, that a receipt from a representative, purchasing agent or seller authorized to collect the tax, given to a purchaser in accordance with the provisions of section 118-5 shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer, or for the return thereof. Any such tax remaining unpaid after the twentieth day following the end of the calendar month during which it first became payable shall become delinquent. Notwithstanding the foregoing, a taxpayer may be eligible to file his return required under the provisions of this section and make payments thereon on a quarterly basis during the calendar year, such return and payment to be made within twenty days after the close of each quarter, to wit, on or before April 20, July 20, October 20, and January 20, if he possesses a valid and current permit to file his general excise tax return and to make payments thereon on a quarterly basis, issued by the director pursuant to the provisions of section 117-25. A taxpayer may also be eligible to make monthly payments based on his estimated quarterly liability with a reconciliation return at the end of each quarter during the calendar year, as heretofore provided, if he possesses a valid and current permit to file quarterly reconciliation general excise tax return and to make monthly payments, issued by the director pursuant to the provisions of section 117-25."

SECTION 4. Section 118-4, Revised Laws of Hawaii 1955 is hereby amended by adding the following paragraph at the end of the section thereof to read as follows:

"The director may adopt and promulgate rules and regulations to carry out the purposes of this section."

SECTION 5. Section 119-9, Revised Laws of Hawaii 1955, is hereby amended by adding the following paragraph between the first and second paragraphs thereof to read as follows:

"Notwithstanding the foregoing, a taxpayer may be eligible to file his return required under the provisions of this section and make payments thereon on a quarterly basis during the calendar year, such return and payment to be made within twenty days after the close of each quarter, to wit, on or before April 20, July 20, October 20, and January 20, if he possesses a valid and current permit to file his general excise tax return and to make payments thereon on a quarterly basis issued by the director pursuant to the provisions of section 117-25. A taxpayer may also be eligible to make monthly payments based on his estimated quarterly liability with a reconciliation return at the end of each quarter during the calendar year, as heretofore provided, if he possesses a valid and current permit to file quarterly reconciliation general excise tax return and to make monthly payments, issued by the director pursuant to the provisions of section 117-25."

SECTION 6. Section 119-9, Revised Laws of Hawaii 1955, is hereby amended by adding the following paragraph at the end of the section thereof to read as follows:

"The director may adopt and promulgate rules and regulations to carry out the purposes of this section."

SECTION 7. This Act shall take effect upon its approval, provided that no permits for quarterly returns as herein provided shall be issued prior to January 1, 1965.

(Approved April 21, 1964.) **H.B. 203.**

ACT 24

A Bill for an Act Relating to Taxation to Permit Quarterly Filing of Returns and Quarterly Payment of Income Taxes Withheld from Wages and Amending Chapter 121 of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

The Department of Taxation, as a result of its tax simplification studies, now recommends legislative changes which will simplify tax reporting by the taxpayer and also will simplify processing of such reports by the Department. Certain statistical information in this area will be more readily available.

It is expected that the simplifications when fully effected will reduce workload, thus offsetting any need for increase in personnel in these programs to meet greater volumes of returns each year.

This improved system will be of immediate benefit to the taxpayers and the Department and is necessary prior to statewide use of automatic data processing.

One phase of this overall program is to permit employers to file their net income withholding tax returns and to make payments thereon on a quarterly basis under conditions as set forth in this Act. This will permit approximately 11,000 of the 15,000 employers who are now required to withhold taxes to become eligible to file quarterly returns, resulting in reducing the monthly record-keeping workload of the Department.

Therefore this Act is considered an urgency measure deemed necessary in the public interest.

SECTION 2. Section 121-17, Revised Laws of Hawaii 1955, as amended, is hereby further amended by amending the phrase beginning with the words "provided, further" and ending with the words "January 20", appearing in the fourth sentence thereof to read as follows:

"provided, further, that the director may grant permission to employers, whose liability to pay over the taxes withheld as heretofore provided shall not exceed \$200 per annum, to make returns and payments thereon on a quarterly basis during the calendar year, such returns and payments to be made within twenty days after the close of each quarter, to wit, on or before April 20, July 20, October 20, and January 20; and provided, further, that the director may grant permission to employers to make monthly payments based on an estimated quarterly liability, provided that the employer file a reconciliation return at the end of each quarter during the calendar year as heretofore provided."

SECTION 3. This Act shall take effect on January 1, 1965.

(Approved April 21, 1964.) **H.B. 204.**

ACT 25

A Bill for an Act Relating to Taxation to Establish a Minimum Real Property Tax and Amending Chapters 128 and 129 of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

The state government of Hawaii at the present time is expending many thousands of dollars annually in the assessment and collection of real property taxes from over nineteen thousand individual parcels of land on which taxes of less than \$1.00 per parcel per annum are being levied and collected. Based on the estimate of the department of taxation that the cost of the assessment and collection of real property taxes is \$3.80 per parcel, it would not be unreasonable to establish a minimum real property tax of \$1.00 per parcel.

Providing that the minimum real property tax shall be \$1.00 per

ACT 26

parcel will mean a more equitable placing of the burden of bearing the cost and will result in an increase in tax revenues.

This Act is, therefore, considered to be an urgency measure deemed necessary in the public interest.

SECTION 2. Section 128-31, Revised Laws of Hawaii 1955, as amended, is hereby amended by amending the first paragraph thereof to read as follows:

"Sec. 128-31. Tax rolls; tax bills. The tax collector shall prepare tax rolls for his division from the district assessment lists provided for by section 128-28, showing thereon, in each case, names and addresses of the assessed and amount of taxes which shall be not less than \$1 as provided for in section 129-2(...)."

SECTION 3. Section 129-2, Revised Laws of Hawaii 1955, as amended, is hereby amended by adding thereto a new subsection, to be appropriately numbered, and to read as follows:

"(...) Notwithstanding any provision to the contrary, there shall be levied upon each individual parcel of real property taxable under the provisions of Chapter 128 a minimum real property tax of \$1 per annum."

SECTION 4. This Act shall take effect on January 1, 1965.

(Approved April 21, 1964.) **H.B. 205.**

ACT 26

A Bill for an Act Amending Section 112-4 of the Revised Laws of Hawaii 1955, Relating to the Honolulu Drawbridge Operation.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 112-4, Revised Laws of Hawaii 1955, is hereby amended by deleting the last sentence thereof and substituting therefor the following sentence:

"The expense of operation and maintenance of the drawbridge shall be paid from revenues of the Harbor Special Fund made available in the annual budget as approved by the legislature."

SECTION 2. This Bill shall take effect on July 1, 1964.

(Approved April 21, 1964.) **H.B. 412.**

ACT 27

A Bill for an Act Increasing Home Exemptions from Real Property Taxation and Amending Section 128-13, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 128-13, Revised Laws of Hawaii 1955, as amended, is hereby further amended in the following respects:

a. Item (1) of subsection (a) is amended to read as follows:

"(1) Totally exempt where the value of the property is not in excess of \$2,500;"

b. The first clause of item (2) of subsection (a) is hereby amended to read as follows:

"(2) Where the value of such property is in excess of \$2,500, according to the following schedule:

Over	Value of Property	Exemption
	\$2,500 to \$2,699	\$2,550
	2,700 to 2,899	2,650
	2,900 to 3,099	2,750
	3,100 to 3,299	2,850
	3,300 to 3,499	2,950
	3,500 to 3,699	3,050
	3,700 to 3,899	3,150
	3,900 to 4,099	3,250
	4,100 to 4,299	3,350
	4,300 to 4,499	3,450
	4,500 to 4,699	3,550
	4,700 to 4,899	3,650
	4,900 to 5,099	3,750
	5,100 to 5,299	3,850
	5,300 to 5,499	3,950
	5,500 to 5,699	4,050
	5,700 to 5,849	4,138
	5,850 to 5,999	4,213
	6,000 and over	4,250

provided:”

SECTION 2. This Act, upon its approval, shall take effect on January 1, 1965.

(Approved April 21, 1964.) **H.B. 498.**

ACT 28

A Bill for an Act Relating to Salary Reimbursement of Public Officers and Employees and Amending Section 3-19 (h) (3) of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting urgency:

An employee who has performed one year of satisfactory service is entitled to receive an annual salary increment if it is available within his salary range.

While an employee's position is under study for reallocation and the employee properly receives an increment he may be later found not to be eligible for the salary increment during such interim period in the event his position is reallocated downward.

Through no fault of his own the employee is therefore required to make reimbursement of the salary increment differential he received during the reallocation study period.

In the past, two City and County employees were required to reimburse the City. At the moment two cases are pending. It is anticipated that additional cases will arise in the immediate future pending the outcome of reallocation studies.

The present situation places a financial hardship on certain employees and has a considerable effect on their morale.

SECTION 2. Section 3-19 (h) (3), Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

"(3) Reallocate positions to recognize material changes in duties and responsibilities or to correct a previous action. Reallocations shall be made effective retroactively to the beginning of the pay period immediately following the date the application for reclassification was filed with the director; provided, however, that an employee who is otherwise properly compensated shall not be required to make reimbursement of overpayment in salary when such overpayment is due to salary increments or re-pricing actions nullified by the retroactive feature of a classification action; and provided, further, that the proper salary adjustment shall be made as of the first pay period following the action taken by the director."

SECTION 3. As a consequence of a reallocation action downgrading a position taken, prior to the effective date of this Act, any officer or employee in the service who refunded any portion of his compensation to the State, or any political subdivision thereof, shall be reimbursed the amount that was refunded, and any officer or employee who would otherwise have been required to refund a portion of his compensation but who has not done so prior to the effective date of this Act shall not be required to make any such refund.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 21, 1964.) **H.B. 507.**

ACT 29

A Bill for an Act Relating to Primary Elections.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Existing statutes require that in any precinct in which voting machines are used, they shall be set up so that each machine shall contain only one party's candidates with an equal number of machines for each of the parties. In practice, the above provision would not be conducive to a maximum use of voting machines, which are expensive. Voting and tabulation of votes may be facilitated and more extensive use of available machines can be made by permitting the machines to contain the names of candidates of more than one party, but with a lock-out feature adjustable on the outside of the machines by proper election officials so that the voter will be able to cast his votes only for candidates of his own party. In order that maximum use may be made of the 138

voting machines available as soon as possible it is urgent that this bill be enacted in this session.

SECTION 2. Section 11-99, Revised Laws of Hawaii 1955, as amended, is hereby further amended by deleting the second sentence and substituting the following in lieu thereof:

"The ballot shall be printed upon paper of uniform weight, shape and thickness, but the primary ballots of no two parties shall be of the same color or tint; provided that where voting machines are used, they shall be set up so that the election officials can lock out all rows or columns except those of the voter's party by appropriate adjustment on the outside of the machine."

SECTION 3. Section 11-102, Revised Laws of Hawaii 1955, as amended, is hereby further amended by amending the second sentence in the second paragraph thereof to read as follows:

"If the person desiring to vote is not challenged, one of the inspectors shall give to him one and only one official primary ballot of the party designated folded in a uniform manner so that the contents thereof shall be concealed."

SECTION 4. All laws inconsistent herewith are hereby amended to conform herewith.

SECTION 5. This Act shall take effect upon its approval.

(Approved April 21, 1964.) **H.B. 567.**

ACT 30

A Bill for an Act Relating to Preference for the Blind or Visually Handicapped Persons in the Use of Public Buildings and Amending Section 7-20, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency: Wherever possible, physically handicapped people should be encouraged to help themselves. Blind people have demonstrated their abilities in a number of areas, and have been particularly successful in the operation of vending stands. Hawaii's present law acknowledges the ability of the blind to operate vending stands, but the law does not give special preference to such handicapped people. It is immediately necessary to enact legislation making mandatory special preference for the blind.

SECTION 2. Section 7-20, Revised Laws of Hawaii 1955, as amended, is hereby amended by amending the first paragraph thereof to read as follows:

"Sec. 7-20. Use of public buildings by blind or visually handicapped persons. For the purpose of providing blind or visually handicapped persons, as defined in sections 109-3, 109-5 and 121-1, Revised Laws of Hawaii 1955, as amended, with remunerative employment, enlarging

the economic opportunities of the blind or visually handicapped persons, and stimulating them to greater efforts in striving to make themselves self-supporting, state and county authorities responsible for the management of public buildings shall authorize blind or visually handicapped persons to maintain and operate stands and machines for the vending of newspapers, periodicals, confections, tobacco products, and such other articles as may be approved by the responsible authorities on any state and county building where such vending stands and machines may be properly and satisfactorily operated by blind or visually handicapped persons. In authorizing the maintenance and operation of vending stands and machines on state and county buildings, preference shall be given, so far as feasible, to blind or visually handicapped persons and the state and county authorities responsible for the management of public buildings shall prescribe rules and regulations, in accordance with the provisions of the Hawaii administrative procedure act, designed to assure such preference for blind or visually handicapped persons."

SECTION 3. This Act shall take effect upon its approval.

(Approved April 21, 1964.) **H.B. 166.**

ACT 31

A Bill for an Act to Amend Item 3(c), Subsection B, Section 1, of Act 201, Session Laws of Hawaii 1963.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Item 3(c), Subsection B, Section 1, of Act 201, Session Laws of Hawaii 1963, hereinafter called "Act 201," authorizes \$540,000 for improvements at Kuhio Beach, Honolulu. As a prerequisite to the improvement of Kuhio Beach, however, Act 201 mandated that (1) an agreement be executed between the State and at least two-thirds of the owners of property located within a given area along Waikiki Beach in which the owners would agree to fix the boundaries of their private properties along Waikiki Beach so that no addition or accretion to private land along said beach would accrue thenceforth, and (2) "the existing public easement created under the 1928-1929 Waikiki Beach Reclamation Agreements shall remain as is." Act 201 also directed the Attorney General to draft an agreement to meet the foregoing conditions.

The State, through the Department of the Attorney General, is currently negotiating the agreement authorized by Act 201 with the private owners. However, it is encountering difficulty in reaching an agreement because of (1) a possible ambiguity in the wording of Act 201 and (2) the restrictions imposed by Act 201 upon those negotiating the agreement for the State.

Act 201, as aforementioned, requires the "existing public easement created under the 1928-1929 Waikiki Beach Reclamation Agreements" to remain "as is." The public easement created by the 1928-1929 Agree-

ments is 75 feet landward from the "mean high water mark of the beach as it may exist from time to time." The interpretation to be accorded the public easement condition in Act 201 is unclear and it is uncertain whether that condition is intended to mean (1) that the concept of the public easement created by the 1928-1929 Agreements shall remain "as is" but that any measurement of the public easement area shall be 75 feet from the boundaries agreed upon between the owners and the State as mandated by Act 201, or (2) that the 75 feet public easement area shall be measured from the mean highwater mark of the beaches as constituted when Act 201 was enacted in 1963.

The foregoing indicates that, before the State can completely negotiate the agreement mandated by Act 201, an amendment to Act 201 will be necessary to clarify its ambiguous aspect and to give greater flexibility to the Attorney General in negotiating the agreement for the State.

The amendment to Act 201 is immediately necessary since (1) any delay in amending Act 201 will delay the much needed rehabilitation of Waikiki Beach, and consequently, adversely affect the tourist element of the economy of the State, and (2) the present owners of the properties along Waikiki Beach are in general willing to settle with the State on matters relative to their accretion and boundary rights; however, because of recent changes in the ownership of property along Waikiki Beach, the owners of said properties a year hence may be different and consequently may not be receptive to the idea of fixing their shoreline boundaries. In view of the reasons stated above, this Legislature deems this Act to be an urgency measure necessary in the public interest.

SECTION 2. Item 3(c) of Subsection B of Section 1 of Act 201, Session Laws of Hawaii 1963, is amended in its entirety to read as follows:

"c. KUHIO BEACH IMPROVEMENTS, Honolulu..... 540,000
 Rehabilitate existing beach between Kapahulu storm drain and the Waikiki Beach Center in accordance with federally approved plans—provided, however, that such improvements shall not be constructed until the owners of at least two-thirds of the property along the shoreline along Waikiki Beach from the northern boundary of Kuhio Beach to the northern boundary of the Royal Hawaiian Hotel shall enter into an agreement with the State of Hawaii to so fix the boundaries of their private properties along such beach, so that no accretion to private land along said beach shall accrue from thenceforth, except as may be provided in the terms of the agreement referred to herein. The Attorney General is directed to draft the agreement and shall include therein in the foregoing condition and such other terms, covenants and conditions as he deems necessary. Any agreement authorized herein shall, prior to its execution by the State, be submitted to the governor for his approval. The Attorney General is also directed to condemn the littoral rights of such lands, whose owners do not agree to the above mentioned terms and conditions; using the funds appropriated under this paragraph."

SECTION 3. This Act shall take effect upon its approval.

(Approved April 21, 1964.) **H.B. 561.**

ACT 32

A Bill for an Act Relating to Certain Fees and Other Non-Tax Revenues of the State of Hawaii.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Many of the fees currently charged by the State for services it renders are below the actual cost of the services. Other fees need revision so that they would be in line with fees charged by different activities for similar services. To shift the burden of cost from the general taxpayer to the person being serviced, in order to maintain proper relation between revenues derived from fees and the cost of services rendered, to maintain comparability among fees imposed by the State and also to provide a source of additional revenue to bolster and strengthen the economy of the State in view of the deficit now facing it, it is deemed urgent and in the public interest to amend charges for fees and other non-tax revenues of the State of Hawaii.

SECTION 2. The Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding a new section thereto to be appropriately numbered by the revisor of statutes and to read as follows:

“Section Any law to the contrary notwithstanding, the fees or other non-tax revenues assessed or charged by any board, commission or other governmental agency, may, with the approval of the governor, be increased or decreased by such body in an amount not to exceed fifty per cent of the statutorily assessed fee or non-tax revenue, in order to maintain a reasonable relation between the revenues derived from such fee or non-tax revenue and the cost or value of services rendered, comparability among fees imposed by the State, or any other purpose which it may deem necessary and reasonable; provided that such authority to increase or decrease fees or non-tax revenues shall extend only to the following: Revised Laws of Hawaii 1955, as amended, Chapters 7, 7A, 13, 20, 21, 22, 23, 24, 25, 26, 27, 32, 46, 57, 58, 59, 60, 61, 62, 62B, 63, 64, 66, 67, 68, 69, 70, 71, 72, 73, 88A, 104, 106C, 115, 132, 163, 164, 165, 165A, 166, 166A, 167, 168, 169, 170, 170A, 171A, 172, 174, 175A, 176, 178, 180, 181, 181A, 186, 187, 194, 195, 199, 204, 206, 276, 323, 327, 342, 343 and 346; and Act 32, Session Laws of Hawaii 1962; and provided further, that this section shall not apply to fees charged by the University of Hawaii or to judicial fees as may be set by any chapter of the Revised Laws of Hawaii, 1955, amended, mentioned above.”

SECTION 3. Section 135-8 of the Revised Laws of Hawaii 1955, relating to the examination of financial institutions, is hereby amended to read as follows:

“The bank examiner shall charge an examination fee based on cost per hour per examiner plus travel, per diem and other related expenses for all financial institutions examined by him or his staff. All charges collected shall be deposited to the credit of the general fund of the state.”

SECTION 4. Section 184-32 of the Revised Laws of Hawaii 1955, relating to the fire marshal, is hereby amended by inserting the words

"with the approval of the governor" after the words "fire marshal" appearing in the last sentence.

SECTION 5. This Act shall take effect upon its approval.

(Approved April 22, 1964.) **S.B. 275.**

ACT 33

A Bill for an Act Relating to Sick Leave for Firemen.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

The general employees of government are credited with $1\frac{3}{4}$ working days for each month of service as and for sick leave, whereas the firemen are credited with $1\frac{3}{4}$ days credit for each 28 or more calendar days of service. However, the general employees are charged sick leave on the basis of working days, thus Saturdays, Sundays and holidays are not charged. On the other hand, as to firemen who are required to work 24 hours every other day, every calendar day which falls within the 24-hour work period, except holidays and days off and referred to as J days, shall be considered a working day and they are charged accordingly. This has created an inequitous situation and a morale problem has resulted therefrom. It is in the public interest that this situation be corrected as soon as possible.

SECTION 2. Section 5-39 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding thereto a new section to be numbered Section 5.39.1, to read as follows:

"Sec. 5.39.1. Sick leave of members of fire departments. Members of the fire departments of the several counties who have complied with the provisions of section 5-70 shall be entitled to and granted sick leave with pay each calendar year of two and one-half calendar days for each month of service.

"Sick leave allowances for firemen shall be recorded and administered on a calendar year basis, the allowance accruing during each calendar year being credited to firemen as of December 31 of each year. The sick leave provided for in this section, which is not used by a fireman during the year in which it accrues, shall accumulate and be available for use in succeeding years.

"A licensed physician's certificate shall be required when absences are 5 or more consecutive days; provided, the department head shall have the authority to investigate any absence for sickness and upon a finding that the firemen's claim of illness was falsely made, the department head shall take proper disciplinary action in accordance with the rules governing such matters.

"Additional sick leave with pay, in excess of that which the fireman is entitled to, may be granted with the written approval of the governor, mayor or chairman of the respective boards of supervisors, as the case

may be; provided, that due consideration shall be given to the length of service of the particular fireman requesting an excess of that to which he is entitled."

SECTION 3. This Act shall take effect on July 1, 1964.

(Approved April 22, 1964.) **H.B. 384.**

ACT 34

A Bill for an Act Amending Sections 132-16 and 132-17 of the Revised Laws of Hawaii 1955 Relating to Special Fund Reimbursements to the State General Fund.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 132, Revised Laws of Hawaii 1955, as amended, is hereby further amended in the following respects:

A. By amending Section 132-16 to read as follows:

"Section 132-16. Transfers from special funds to general fund. Except as hereinafter provided, and notwithstanding any provision of any other law to the contrary, there shall be deducted from time to time by the director of finance, for the purpose of defraying the prorated estimate of central service expenses of government in relation to all special funds, except the School Cafeteria Special Fund of the Department of Education, five per cent of all receipts of each such special fund, which deduction shall be transferred to the general fund of the State and become general realizations of the State. All officers of the State and other persons having power to allocate or disburse any such special funds are directed to cooperate with the director of finance in effecting such transfers."

B. By deleting Section 132-17 and substituting therefor the following section:

"Section 132-17. Special fund reimbursements for departmental administrative expenses. Each special fund, except the School Cafeteria Special Fund of the Department of Education, shall be responsible for its pro-rata share of the administrative expenses incurred by the department responsible for the operations supported by the special fund concerned. Administrative expenses shall include, but shall not be limited to, salaries, maintenance of buildings and grounds, utilities and general office expenses. The pro-rata share of each special fund shall be that proportion of the administrative expenses of the department, including those paid from all special funds administered by the department, which the expenditures of the special fund bear to the total expenditures of the department; provided, however, that in determining the amount to be charged to each special fund for its pro-rata share, credit shall be given for any administrative expenses paid from the special fund concerned and such other adjustments shall be made as may be necessary to achieve an equitable apportionment. The director of finance is hereby authorized to determine the amount to be charged to each special fund, and may cause such amounts to be transferred to the general fund as reimbursements."

SECTION 2. This Bill shall take effect upon its approval.

(Approved April 22, 1964.) **H.B. 407.**

ACT 35

A Bill for an Act Relating to Public Lands and Amending Act 32, Session Laws of Hawaii 1962, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

The special land and development fund may be expended for certain specified purposes by the department of land and natural resources. These purposes, however, are unnecessarily restrictive. There are instances in which the State assumed responsibility for constructing roads along state rights-of-way at the time that it opened homestead areas but it has never fulfilled these obligations. Fulfillment of legal and moral obligations is always an urgent matter. It is therefore necessary and urgent that the board of land and natural resources be given authority to discharge the state's obligations at this time.

SECTION 2. Section -19 of Act 32, Session Laws of Hawaii 1962, as amended by Act 29, Session Laws of Hawaii 1963, is hereby amended by removing the period at the end of subparagraph (f), by substituting a semicolon therefor and by adding thereafter the following:

"(g) for the planning and construction of roads and trails along state rights-of-way not to exceed \$5,000 in any fiscal year".

SECTION 3. This Act shall take effect upon its approval.

(Approved April 22, 1964.) **H.B. 458.**

ACT 36

A Bill for an Act Relating to the Motor Vehicle Dealers Licensing Boards Created Pursuant to the Provisions of Part V of Chapter 160, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Act 136, Session Laws of Hawaii 1963, did not complete the transfer of the Motor Vehicle Dealers Licensing Boards to the various counties. Act 136 merely transferred the appointing power to the executive heads of the counties. As such, the status of the Board, as well as its employees, is not clear. Also, supervision of the Boards' funds is not subject to supervision of the various counties. This bill proposes to:

1. Clearly indicate that the various Boards are county Boards;
2. Transfer the Boards' funds to the county general funds;
3. Transfer the Boards' employees to the counties and provide civil service status to non-civil service employees;
4. Delineate the Boards' relationship with the county departments to which they are assigned; and

5. Authorize counties with population in excess of 200,000 to establish the annual license fees.

It is imperative and urgent that the foregoing matters be clarified. Accordingly, this Act is considered an urgency measure deemed necessary in the public interest.

SECTION 2. Chapter 160, Revised Laws of Hawaii 1955, as amended, is hereby further amended in the following respects:

a. The first paragraph of Section 160-162 thereof is hereby amended to read as follows:

"A motor vehicle dealers licensing board is created for each of the counties. Each board shall be a county agency and shall be made a part of an appropriate department by ordinance. For each county with a population of 200,000 or more, the board shall consist of five members; for each county with a population of less than 200,000, the board shall consist of three members. The elected executive head of each county, or any duly elected or appointed successor shall appoint the members of the board with the approval of the legislative body of the county. The board shall designate one of its members as chairman. Each member shall have been engaged in the business of selling at retail, or negotiating for the purchase of motor vehicles in the State for a period of at least one year preceding the date of his appointment. For each county with a population of 200,000 or more, three of the members shall be, or shall have been, engaged as dealers primarily in the sale of new motor vehicles, one of the members shall be, or shall have been, engaged primarily in the sale of used motor vehicles, and one of the members shall be solely and exclusively engaged as salesman of new or used motor vehicles. For each county with a population of less than 200,000, two of the members shall be, or shall have been, engaged primarily as a new motor vehicle dealers, and one of the members shall be solely and exclusively engaged as a salesman. The Board shall designate one of its members as chairman."

b. Section 160-163 thereof is hereby amended in the following respects:

(1) By deleting the first twenty-five words in the opening sentence thereof and inserting in lieu thereof the following:

"Neither the board nor its members shall in any way interfere with the administrative affairs of the department to which it is assigned. However, the board within its own county, shall have the sole jurisdiction, power and authority and discretion, subject only to the provisions of this part, to."

(2) By deleting subsection (c) and redesignating subsections (d) through (i) as (c) through (h).

c. Section 160-165 thereof is hereby amended to read as follows:

"Section 160-165. Funds and Personnel.

"(a) Funds. All fees and other moneys collected or received under this part shall be deposited in the general fund of the county and no expenditure for the operation of the board shall be made unless there is an appropriation therefor as provided by law.

"(b) Personnel. All employees of the board, other than members of the board, shall be subject to civil service laws.

"(c) Administration. The function of administering the funds ap-

propriated for the operations of the board shall be vested in the department head of the department to which the board is assigned and such department head shall be empowered to take all necessary personnel actions with reference to employees of the board."

SECTION 3. Section 160-171 thereof is hereby further amended to read as follows:

"Section 160-171. License Fees.

a. Annual license fees for counties with a population in excess of 200,000. In counties with population in excess of 200,000, the annual license fees for new or used motor vehicle dealers or dealers in business or wrecking and dismantling motor vehicles, shall be established by the Council or Board of Supervisors, whichever the case may be, by ordinance.

b. Annual license fees for counties with a population of less than 200,000. For counties with a population of less than 200,000, the annual license fee for the following licenses shall be the following respective amounts:

1. New Motor Vehicle Dealer.....	\$60.00
2. Used Motor Vehicle Dealer.....	30.00
3. Used Motor Vehicle Dealer dealing primarily in the business of wrecking and dismantling motor vehicles, motorcycles, and scooters.....	30.00
4. Salesman	3.00

c. Fees to accompany application. In all cases, the fee shall accompany the application for license.

d. Fees when license denied. In case any license is not granted, the fee, less the filing fee, shall be returned to the applicant at the time he is notified that his application has been denied.

e. Forms of license. The board shall prescribe the forms for licenses of automobile dealers and automobile salesmen.

f. Scope of dealer's license. A new or used motor vehicle dealer's license shall also authorize the holder thereof to sell new and used motorcycles and motor scooters."

SECTION 4. **Special Fund Abolished.** The "Motor Vehicle Dealers Licensing Board Fund" heretofore created pursuant to the provisions of Section 160-165 is hereby abolished and any balance remaining in said fund shall be transferred to the general fund of the county or city and county.

SECTION 5. **Status of Employees.** All personnel presently under the employ and jurisdiction of the Board shall be transferred to the department to which the Board is assigned and the status of such employees shall be governed in like manner as the status of employees of any county or city and county is governed by the provisions of Section 138-44 or Section 138-45, Revised Laws of Hawaii 1955, whichever is applicable.

SECTION 6. This Act shall take effect as of July 1, 1964.

(Approved April 22, 1964.) **H.B. 514.**

ACT 37

A Bill for an Act Amending Section 14A-29, Revised Laws of Hawaii 1955, as Amended, Relating to Temporary Boards and Commissions.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

The Higher Education Facilities Act of 1963, passed by the 88th Congress of the United States, offers a program of federal grants to public and private nonprofit institutions of higher education for the construction of academic facilities. Said Act requires that any state desiring to participate in the grant designate an existing state agency which is "broadly representative of the public and of institutions of higher education" in the State, or, if no such state agency exists, shall establish a state commission. Since no state agency exists which meets the requirements of said Act, and in order to ensure that federal grants can be made available to our institutions of higher education, and in order to facilitate receipt of any other federal grants made under similar circumstances, the legislature deems it urgent to amend Section 14A-29, Revised Laws of Hawaii 1955, as amended, at this session.

SECTION 2. Section 14A-29, Revised Laws of Hawaii 1955, as amended, is hereby amended by adding the following thereto:

"There is hereby established a temporary commission on higher education facilities to perform such functions as may be necessary with respect to receipt of federal grants-in-aid under the federal Higher Education Facilities Act of 1963. The commission shall consist of nine members and shall be broadly representative of the public and of institutions of higher education. The governor shall appoint the members of the commission, designate its chairman, and prescribe its organization, functions and authority. Confirmation of such appointments shall not be required. Members shall serve at the pleasure of the governor. The commission shall not remain in existence beyond the period necessary to implement the program under the Higher Education Facilities Act. All members of the commission shall serve without pay, but shall be entitled to reimbursement for necessary expenses while attending meetings and while in the discharge of duties and responsibilities. Such reimbursement and charges shall be made from the governor's contingency fund or from federal moneys, if permitted under the grant."

SECTION 3. This Act shall take effect upon its approval.

(Approved April 22, 1964.) **H.B. 562.**

ACT 38

A Bill for an Act Relating to the Surplus Federal Property Revolving Fund.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 12-13 of the Revised Laws of Hawaii 1955, as amended by Act 165 of the Session Laws of Hawaii 1963, is hereby

further amended by changing the figure \$50,000.00 in the fourth line to read \$25,000.00.

SECTION 2. This Act shall take effect upon its approval.

(Approved April 22, 1964.) **H.B. 577.**

ACT 39

A Bill for an Act Relating to Establishing a System of Community Colleges, and Amending Chapter 44 of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Increases both in the number of students graduating from high schools in Hawaii as well as in the proportion of graduates desiring to continue their education indicate the need for an expansion of higher education facilities in the State. Recent statistics reveal that about one-third of seniors in the upper two-fifths of their graduating classes did not go on to college and some did not undertake any kind of educational program beyond high school. Technological changes affecting commerce and industry require facilities for the retraining of adults. It is imperative, therefore, that legislation be enacted to establish a statewide higher education system which provides for the creation of community colleges, offering college parallel, technical, and vocational education, in different parts of the State so as to make higher education facilities more readily available to a greater number of high school graduates as well as to the community in general. The needs and demands for such facilities are pressing.

Federal funds to aid in the establishment of community colleges and post-high school vocational education facilities in the various states are now available through the Higher Education Facilities Act of 1963 (P.L. 88-204) and the Vocational Education Act of 1963 (P.L. 88-210). In order to make prudent use of such funds, determination should now be made as to the nature, scope, and organization of Hawaii's post-high school and higher education facilities. Effective planning for the establishment of such a system requires time, and such planning must commence immediately.

SECTION 2. Purpose. The purpose of this Act is to authorize the board of regents of the University of Hawaii to create community colleges (except on the island of Hawaii), and to provide for the inclusion of the technical schools of the department of education in such community colleges as they are planned and established.

SECTION 3. Chapter 44 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding thereto a new part, to be numbered by the Revisor of Statutes, and to read as follows:

"PART COMMUNITY COLLEGES

Sec. 44-.. System of community colleges. The board of regents of the University of Hawaii shall develop and administer a system of community colleges.

The purposes of community colleges shall be to provide two-year college transfer and general education programs, semi-professional, technical, vocational, and continuing education programs, and such other educational programs and services as are appropriate to such institutions.

Sec. 44-.. Powers of board. The board shall have authority to establish and govern community colleges. It shall have the same powers with respect to the community colleges that it has as to the University of Hawaii in general.

Sec. 44-.. Exclusion of island of Hawaii. No community college shall be established on the island of Hawaii nor shall the University of Hawaii assume responsibility for public technical education programs now conducted by the department of education on the island of Hawaii."

SECTION 4. The transfer of the public technical education programs beyond the twelfth grade level from the department of education to the University of Hawaii shall be accomplished in accordance with plans to be prepared by the board of regents and approved by the governor. Transfers of programs, which may be in part or in whole, shall be by executive order of the governor.

The board of regents of the University of Hawaii shall be responsible for determining the officers and employees, facilities, improvements, records, equipment, files, supplies, contracts, books, papers, documents, maps, appropriations and other property to be transferred from the department of education to the University of Hawaii upon the transfer of programs provided for in this Act.

SECTION 5. All officers and employees whose programs are transferred by this Act shall be transferred with their programs to the University of Hawaii and shall continue to perform their regular duties upon their transfer.

No employee of the State having tenure shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefit or privilege as a consequence of this Act; provided that subsequent changes in status may be made pursuant to the laws of the State and the provisions of this Act.

SECTION 6. Upon the transfer of programs as provided by this Act, all facilities, improvements, records, equipment, files, supplies, contracts, books, papers, documents, maps, appropriations and other property theretofore made, used, acquired or held by the department of education and designated by the University of Hawaii as provided in section 4 of this Act shall be transferred to the University of Hawaii.

SECTION 7. All laws or parts of laws heretofore enacted which are in conflict with the provisions of this Act are hereby amended to conform herewith.

SECTION 8. This Act shall be liberally construed in order to accomplish the purposes of this Act. Any portion of this Act judicially declared to be invalid shall not affect the remaining portions.

SECTION 9. This Act shall take effect upon its approval.

(Approved April 23, 1964.) **H.B. 257.**

ACT 40

A Bill for an Act to Amend Act 30, Session Laws of Hawaii 1962.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. The unexpended balance of the appropriation of \$750,000 provided by subsection B.2.a., section 1, Act 30, Session Laws of Hawaii 1962, said balance being \$432,910.68, may be used for the following purposes: Land development construction to include roads, sewerage systems, water distribution systems, major storm drainage systems, structures, fill for low areas and street lighting for the Waimanalo Development Plan and any necessary undertakings which will enable or facilitate land comprising Bellows Air Force Station to be returned or made available to the State.

SECTION 2. The unexpended balance of the appropriation of \$683,556 provided by subsection B.2.b., section 1, Act 30, Session Laws of Hawaii 1962, said unexpended balance being \$683,556, may be used for the following purposes: Roads, water, utilities, buildings and other purposes necessary to develop Sand Island or any other site designated for business, industrial and possible transshipment uses in connection with the development of a Foreign Trade Zone Complex and related industrial uses, including any cost necessary to enable the State to use Pier 39 and adjoining areas; for acquisition of a portion of the Snug Harbor complex at Kapalama Military Reservation.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 28, 1964.) **S.B. 22.**

ACT 41

A Bill for an Act Relating to the Amendment of Chapter 176A of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Urgency. This bill is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Chapter 176A, Revised Laws of Hawaii 1955, as amended, provides for the promoting, developing and advancing the economic welfare of the State through making long-term loans to any industrial or commercial business for any purpose, including, but not necessarily limited to, construction, improvements, working capital, or clearing indebtedness. The corporation is state-wide in its operations, both in its membership and in its area for making loans. Under the present law, the fact that the Small Business Administration may become a member limits the financial participation to which that agency is allowed by Federal law and regulations to participate. Section 5 of Chapter 176A provides that no member shall be allowed to contribute more than 20 per cent of the then outstanding loans. Yet, the present regulations of the SBA allow that agency to lend to a Business Development Corporation on a dollar

for dollar basis the amount of outstanding loans of the corporation. This means that because of the inclusion of SBA as a member of, as defined in Section 5, any Business Development Corporation which may be formed will be deprived of approximately 30 per cent of any loan in Federal funds which would otherwise be available. The deletion SBA membership in a Business Development Corporation, will insure any corporation so formed shall be allowed to take advantage of any and all assistance, financial and otherwise, which the SBA may provide.

The amendment of chapter 176A to permit greater financial participation by the Small Business Administration would thus serve to facilitate the creation and continuation of business development corporations and thereby achieve the promotion, development and advancement of the prosperity of the economic welfare of the State of Hawaii by providing additional funds which would not otherwise be available. Accordingly, it is urgent that this bill be passed at this session.

SECTION 2. Purpose. The purpose of this bill is to:

- (a) Remove the automatic membership of Small Business Administration when it makes a loan to a business development corporation organized under the provisions of chapter 176A and by such removal of automatic membership to lift the maximum loan limitation of 20 per cent of the loan limit to the business development corporation as imposed in Section 176A-6;
- (b) Liberalize the eligibility requirements for membership;
- (c) Expand the private and public sources from which funds needed by the business development corporation may be borrowed; and
- (d) Extend the deadline for the organization of a business development corporation.

SECTION 3. Section 176A-1(c) is hereby amended to read as follows:

“(c) ‘Member’: Any person, corporation, company, association, partnership, foundation or other institution, including any financial institution, which or who shall undertake to lend money to a corporation created under this chapter, upon its call, and in accordance with the provisions of this chapter, but not including the Small Business Administration and any other federal agency.”

SECTION 4. Section 176A-2(c)(2) is hereby amended by deleting the word “only”, from the first phrase thereof and substituting therefor the phrase “and others, including the Small Business Administration and other federal agencies”.

SECTION 5. Section 176A-2(c) is further amended by renumbering “(9)” thereof as “(10)”, and by inserting before the renumbered paragraph “(10)” the following new paragraph:

“(9) To avail itself of any loan or other assistance from non-members, including the Small Business Administration or any other federal agencies.”

SECTION 6. Section 176A-5 is hereby amended by deleting therefrom the phrase “each financial institution which becomes a member” following the words “and (4)”, and substituting therefor the phrase “except as to financial institutions which are to continue to be subject to the limitations contained in (3) herein, each member”.

SECTION 7. Section 176A-6 is hereby amended by:

(a) Deleting the words "financial institution" from the first sentence thereof and substituting therefor the following phrase "person, corporation, company, association, partnership, foundation or other institution, including any financial institution";

(b) Deleting the last period from subsection 3(b) thereof and substituting therefor the following phrase "and other members."

SECTION 8. Section 176A-17 is hereby amended by deleting "1965" and substituting therefor "1967."

SECTION 9. Effective date. This bill shall take effect upon its approval.

(Approved April 28, 1964.) **S.B. 177.**

ACT 42

A Bill for an Act Relating to the Hawaii Capital Loan Program.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Urgency. This bill is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Act 76, Session Laws of Hawaii 1963, was passed for the purpose of creating a program intended to provide a medium for furnishing risk capital to small businesses which private lending institutions could not readily support.

As written, Act 76 contains some limitations which could severely restrict the scope of the loan program. These should be corrected as soon as possible to render the loan program more effective. It is also important that certain steps be taken immediately which are necessary to implement the act and make its passage meaningful.

SECTION 2. Purpose. The purpose of this bill is to:

(a) Amend Act 76 of the Session Laws of Hawaii 1963, by allowing greater latitude to the Department of Planning and Economic Development in implementing its responsibilities by liberalizing existing loaning provisions and by hereafter enabling the State to loan to Local Development Corporations incorporated or to be incorporated under the laws of the State of Hawaii and meeting and qualifying under the requirements of, and receiving a loan from the SBA.

(b) Implement the Hawaii Capital Loan Program by providing for an appropriation for the revolving fund.

SECTION 3. Section 2 of Act 76 is hereby amended by adding thereto the following new subsection:

"(e) 'SBIA' means the Federal Small Business Investment Act of 1958, as amended."

SECTION 4. Section 7 of Act 76 is hereby amended by:

(a) Inserting the word "direct" before the words "Loans, terms and restrictions" contained in the heading.

(b) Deleting the phrase "pursuant to this Act" in subsection (a).

(c) Substituting "\$50,000" for "\$20,000" in subsection (b).

SECTION 5. Act 76 is amended by adding thereto a new section, to be appropriately numbered, to read as follows:

"Section Loans to Local Development Corporations. The department is authorized to make loans to local development corporations incorporated in the State of Hawaii for the purpose of supplementing the funds required to be forthcoming from the local development corporations in order to qualify them to receive a loan under the provisions of section 502 of SBIA. Such loans shall be:

"(a) of such amount determined by the department to be necessary and proper, subject however to a maximum of 20 percent of the total cost of any single project;

"(b) at such rate of interest determined by the department to be necessary and proper but not less than that fixed by SBA in its loan; and

"(c) subject to terms and conditions established by the department as similar as possible to applicable terms and conditions prescribed by rules and regulations promulgated by SBA."

SECTION 6. There is hereby appropriated the sum of \$250,000 to be deposited into the Hawaii Capital Loan revolving fund and used for the authorized purposes of such fund.

SECTION 7. This bill shall take effect upon its approval.

(Approved April 28, 1964.) **S.B. 178.**

ACT 43

A Bill for an Act Amending Chapter 5A, Revised Laws of Hawaii 1955, as Amended, Relating to the Hawaii Public Employees' Health Fund.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 5A, Revised Laws of Hawaii 1955, as amended, is hereby amended by adding thereto a new section to be numbered "Section 5A-4.1" and to read as follows:

"Section 5A-4.1. Reimbursement for State contributions. All State and county agencies having control of special funds shall reimburse the State for contributions made by the State pursuant to section 5A-4 hereof on account of the employees in such agencies whose compensation is paid in whole or part from such special funds. All State and county agencies receiving federal funds, which may be expended for the purpose of absorbing the contributions payable by the State to the fund, shall set aside a portion of such federal funds sufficient to reimburse the State for contributions made by the State pursuant to section 5A-4 hereto on account of the employees in such agencies whose compensation is paid in whole or part from such federal funds."

SECTION 2. All State and county agencies affected by Section 1 above are hereby authorized to expend such sums as may be necessary to carry out the provisions of this Act.

SECTION 3. This Bill shall take effect on July 1, 1964.

(Approved April 28, 1964.) **S.B. 241.**

ACT 44

A Bill for an Act Amending Act 180, L. 1963, Relating to Fair Employment Practices.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

1. Certain terms as "employer," "persons," "employment," etc., used in Act 180, L. 1963 are not defined. Lack of such definitions creates administrative and legal difficulties and may subject the act to judicial attacks.

2. Several laws, ordinances and rules and regulations prohibit or restrict employment of minors. For example, a liquor commission regulation prohibits employment of minors on premises where liquor is served. Act 180 conflicts with such regulation.

3. Employment on certain federal projects require security clearances. Inquiry of applicants for such employment should not be hampered by the requirements of Act 180.

4. Minor technical corrections and clarification of statutory language are necessary.

It is urgent and in the public interest to amend Act 180, L. 1963 in accordance with the foregoing statements in this session.

SECTION 2. Act 180, L. 1963 is hereby amended in the following respects:

a. By adding thereto a new section to read:

"SECTION Definitions. As used herein:

(a) "Person" means one or more individuals, and includes partnerships, associations or corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(b) "Employment agency" means any person undertaking to procure employees or opportunities to work.

(c) "Labor organization" means any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection.

(d) "Employer" means any person having one or more persons in his employment, and includes any person acting as an agent of an employer, directly or indirectly.

(e) "Employment" means any service performed by an individual for another person under any contract of hire, express or implied, oral or written, whether lawfully or unlawfully entered into."

b. By deleting the word "accusation" appearing in the first sentence of SECTION 4 thereof and substituting therefor the word "complaint".

c. By deleting the word "part" appearing in SECTIONS 5 and 6 thereof and substituting therefor the word "act".

d. By amending SECTION 8 thereof to read:

“SECTION 8. **Exceptions.** Nothing contained in this act shall be deemed to:

(a) repeal or affect any law or ordinance or government rule or regulation having the force and effect of law which prohibits, restricts or controls the employment of minors;

(b) prohibit or prevent the establishment and maintenance of bona fide occupational qualifications;

(c) prohibit or prevent the termination of or change the employment of any person who is unable to perform his duties;

(d) affect the operation of the terms or conditions of any bona fide retirement, pension, employee benefit or insurance plan;

(e) prohibit or prevent any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, from giving preference to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained;

(f) conflict with or affect the application of security regulations in employment established by the United States or the State of Hawaii.”

SECTION 3. This Act shall take effect upon its approval.

(Approved April 28, 1964.) **H.B. 217.**

ACT 45

A Bill for an Act Relating to the Killing or Taking of Game Birds and Amending Chapter 21, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Certain farmers in the State have suffered considerable damage to their crops from game birds. It is urgent to protect such farmers by enabling the Department of Land and Natural Resources to kill game birds deemed by it to be injurious to crops.

SECTION 2. Section 21-140, Revised Laws of Hawaii 1955, is hereby amended to read as follows:

“No person shall hunt, pursue, kill or take any game birds or mammals without first procuring a hunting license; provided that, Section 21-148 to the contrary notwithstanding, no license shall be required of employees of the Department of Land and Natural Resources or of other persons, who may be authorized in writing by the board, to destroy other than by poison game birds or mammals injurious to forest growth or crops.”

SECTION 3. This Act shall take effect upon its approval.

(Approved April 28, 1964.) **H.B. 374.**

ACT 46

A Bill for an Act Relating to Increasing General Funds by Amending Act 6, Special Session Laws of Hawaii 1960 and Chapters 92 and 98M of the Revised Laws of Hawaii 1955, as Amended, and Section 358-12, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 12 of Act 6, Special Session Laws of 1960, is hereby amended in the following respects:

(a) By deleting subsections "(a)", "(b)" and "(c)" and by substituting therefor a new subsection "(a)" to read as follows:

"(a)" There is hereby appropriated from the general revenues of the State sufficient moneys, not in excess of \$600,000, as may be necessary, from time to time, for use by or under the direction of the administrator for the making of loans under this Act."

(b) By redesignating subsection "(d)" as subsection "(b)".

SECTION 2. Section 92-6 of the Revised Laws of Hawaii 1955, is hereby amended to read as follows:

"Sec. 92-6. Stevedoring revolving fund; compensation for appropriation and use. There is hereby appropriated from the general revenues of the State sufficient moneys as may be necessary, from time to time, for expenditure by or under the direction of the governor for any and all purposes of this chapter and the operations of the government under this chapter, including, without limitation of the generality of the foregoing, the compensation of employees and for other personal services, other current expenses, insurance and expenditures for the performance of any and all contracts and arrangements authorized by this chapter; provided that the governor may not expend in excess of \$250,000 by this method. The governor may further augment the appropriation from his contingent fund and in addition thereto may cause to be expended from the general fund as a loan or loans further amounts from time to time as required for the purposes of this chapter, but the amount of such further loans, outstanding at any one time shall not exceed \$250,000. Expenditures may be made by or under the direction of the governor or the governor may allot any money not to exceed the maximums provided in this section to the designated agency for expenditure upon its own vouchers.

Charges shall be made and collected for deposit into the treasury of the State. Such charges so far as possible shall be based upon the rates prevailing in the industry immediately prior to the disruption of service, but due consideration shall be given to current conditions, including the expenses and other costs incurred or which may be incurred by the State under this chapter. From time to time the governor shall pay from the general fund to each company whose property has been appropriated just compensation for the appropriation and use of its property. If any company is unwilling to accept the amount determined by the governor as full and complete compensation for such appropriation and use, such company shall be paid fifty per centum of the amount so determined by the governor and shall be entitled to sue the State, in the manner provided in chapter 245 for such additional sum as, when added to the sum already received by such company, shall constitute just

compensation for the appropriation and use of its property; provided that such suit shall be instituted within three months after the termination of such appropriation and use."

SECTION 3. Section 98M-9 of the Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

"Sec. 98M-9. Depressed area fund. There is hereby appropriated from the general revenues of the State sufficient moneys as may be necessary, from time to time, for expenditure by the director, with the approval of the governor, for the purpose specified in this chapter in rendering aid to a depressed area; provided that not more than \$500,000 may be expended by the director, with the approval of the governor, in rendering aid to any single depressed area."

SECTION 4. Section 358-12, Revised Laws of Hawaii, as amended, is hereby amended to read as follows:

"Sec. 358-12. Major Disaster Fund. There is hereby appropriated from the general revenues of the State sufficient moneys as may be necessary, from time to time, for expenditure by or under the direction of the Governor for immediate relief in the event of the occurrence of any major disaster in any part of the State; provided that the Governor may not expend in excess of \$500,000 for immediate relief of any single major disaster. In expending such moneys, the Governor may allot any portion thereof to any agency, office or employee, federal, state or county, for the more speedy and efficient relief of the conditions created by such disasters. The Governor may determine whether a major disaster contemplated by this section has occurred, and any such determination shall be conclusive."

SECTION 5. This Act shall take effect upon its approval.

(Approved April 28, 1964.) **H.B. 578.**

ACT 47

A Bill for an Act Relating to Public Lands.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

The disposition of public lands for residential purposes should be encouraged and facilitated. This Act will permit the Board of Land and Natural Resources to more expeditiously open up and sell houselots to individuals for residential purposes. Therefore, this Act is considered an urgency measure deemed necessary in the public interest.

SECTION 2. Section-44 listed under Section 2 of Act 32, Session Laws of Hawaii 1962, is hereby amended by adding a new paragraph to the end of the Section:

"Notwithstanding any provision of law to the contrary, the Board of Land and Natural Resources is authorized to place public lands under Improvement Districts Statutes for subdivision and development. The

Board shall dispose of such public lands subject to improvement assessments."

SECTION 3. This Act shall take effect upon its approval.
(Approved April 29, 1964.) **H.B. 216.**

ACT 48

A Bill for an Act Relating to Negligent Homicide and Amending Section 291-10 of the Revised Laws of Hawaii 1955.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

At present the crime of negligent homicide is treated as a felony with the penalty of imprisonment at hard labor for not more than five years. This is a harsh penalty for a person who through simple negligence causes death. Further, this penalty has not proven to be a significant deterrent to careless, reckless or negligent driving. The remedy to this problem is to treat negligent homicide due to gross negligence as a felony and negligent homicide due to simple negligence as a misdemeanor. The trend on the mainland is to treat these cases in such fashion.

SECTION 2. Section 291-10 of the Revised Laws of Hawaii 1955, is hereby amended to read as follows:

"Sec. 291-10. Negligent homicide: degrees; Penalties. (a) Every person who by the operation of any vehicle in a grossly negligent manner causes the death of another, shall be guilty of the crime of negligent homicide in the first degree and shall be imprisoned at hard labor not more than five years.

(b) Every person who by the operation of any vehicle in a negligent manner causes the death of another, shall be guilty of the crime of negligent homicide in the second degree and shall be fined not more than \$1,000.00, imprisoned not more than one year, or both."

SECTION 3. This Act shall apply to all cases of negligent homicide pending or to be tried before the circuit courts of the State of Hawaii.

SECTION 4. If any section, paragraph or part of this Act is declared invalid for any reason, such invalidity shall not affect the validity of the remaining sections and parts of this Act.

SECTION 5. This Act shall take effect upon its approval.
(Approved April 30, 1964.) **H.B. 533.**

ACT 49

A Bill for an Act Relating to Public Lands.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section ..19, listed under Section 2 of Act 32, Session Laws of Hawaii 1962, is amended by adding immediately after subsection (f), the following new paragraph:

"Notwithstanding the above provisions, but subject to the restrictions contained in Section 5(f) of the Admission Act, whenever the Board sells remnants to abutting owners, the proceeds therefrom including interest on deferred payments, shall be deposited into the general fund; provided, that such proceeds shall be set apart to the appropriate fund where mandatory federal requirements affecting federal funds so require."

SECTION 2. This Act shall take effect upon its approval.

(Approved May 1, 1964.) **S.B. 132.**

ACT 50

A Bill for an Act Making Appropriations Out of the General Revenues and Approving Expenditures from Other Sources for the Fiscal Period Ending June 30, 1965.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. The following sums, or so much thereof as shall be sufficient to accomplish the purpose or programs of the agencies designated herein, are hereby appropriated out of moneys in the treasury from general revenues and the expenditures from other sources of revenues designated herein are hereby approved for the fiscal period beginning July 1, 1964 and ending June 30, 1965:

EDUCATION

EDUCATION, DEPARTMENT OF 46,191,959
(7228.39)

Administration

State	1,969,255(196)
District	347,981(44)
Total Requirements	2,317,236(240)

Less Estimated:

Special Funds	41,695(5)
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Federal Funds:

Vocational Education Fund.....	26,167(3)
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Public Law 864.....	68,305(—)
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Manpower Development and Training Fund.....	61,480(1)
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Area Redevelopment Fund.....	22,594(3)
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Civil Defense Fund.....	28,000(2)
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Net Appropriation	2,068,995(226)
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Instruction and School Services

Kindergarten	2,850,759(467)
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Elementary and Secondary

Administration and Supervision.....	4,113,489(548.5)
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Regular Class Instruction.....	29,637,739(4367)
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Agricultural Education	581,014(64)
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Business and Distributive Education.....	940,074(130)
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Home Economics	643,059(89)
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Industrial Arts Education.....	971,038(129)
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Special Education

Emotionally Handicapped	35,764(5)
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Mentally Retarded	503,001(82)
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School Work Experience.....	40,483(6)
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Guidance	947,659(144)
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Health Education
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Speech and Hearing.....	89,780(14)
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Other Handicapped	149,082(19)
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Audio-Visual	274,759
School Library Services.....	1,425,673(158)
R. O. T. C.....	14,400(24)
Intramural and Interscholastic Athletics.....	63,600(—)
Lahainaluna Boarding Department.....	100,939(5)
Diamond Head School.....	273,866(40)
Institutional Schools	214,389(28.5)
Hospital Schools	57,954(3)
Post-High Schools	1,178,660(127)
Adult Education	315,845(14)
Total Requirements	45,423,026(6464)
Less Estimated:	
Special Funds	175,068(4)
Federal Funds:	
Vocational Education Fund.....	165,494(10)
Public Law 864.....	206,490
Public Law 874.....	4,800,000(—)
Veterans Administration	7,774(1)
Civil Defense	12,000(—)
Net Appropriation	40,056,200(6449)
Other School Programs	
School Lunch Services.....	9,073,111(731)
Teacher Training	225,050(33)
Total Requirements	9,298,161(764)
Less Estimated:	
Special Funds	6,551,462(532)
Federal Funds	
National School Lunch Subsidy.....	600,000(—)
Special Milk Subsidy.....	128,000(—)
Net Appropriation	2,018,699(232)
Public Library Services	
Administration	18,252(2)
Central Processing	177,082(33.5)
Library of Hawaii.....	1,036,752(171.5)
Hawaii County Library.....	205,875(30.65)
Maui County Library.....	195,812(29.6)
Kauai County Library.....	160,806(23.94)
Total Requirements	1,794,579(291.19)
Less Estimated:	
Federal Funds	54,572(6.5)
Net Appropriation	1,740,007(284.69)
Vocational Rehabilitation	
Administration	43,191(6.1)
Vocational Rehabilitation	256,137(15)
Disability Determination (OASI).....	67,325(6.7)
Independent Living	207,240(3.6)
Work Training for Mentally Retarded.....	152,921(12)
Training of Severely Mentally Retarded.....	40,500(—)
Total Requirements	767,314(43.4)
Less Estimated	
Federal Funds	459,256(6.7)
Net Appropriation	308,058(36.7)

Provided, that in the kindergarten program the total number of regular classroom teachers authorized for the fiscal year 1964-65 shall be the quotient of the actual public school enrollment in kindergarten classes throughout the State divided by 28.1.

Provided, that the sum of \$1,343,361 is allowed for classroom textbooks in accordance with the inventory of needs as submitted to the Senate Ways and Means Committee on the tenth legislative day, March 4, 1964, which inventory was submitted to the Department of Education by the individual schools; provided further that these moneys shall be allocated to the schools in accordance with the inventory; and provided further that the additional sum of \$56,357 has been allowed the Department for enrollment increases;

Provided further, that in the institutional school program the number of teachers authorized for the Olomana School shall be the quotient of actual school enrollment divided by 15; that the appropriation shall be adjusted accordingly; and that one teacher may be added whenever the teacher-pupil ratio of 1 to 15 is exceeded by 10 pupils.

Provided further, that the administrative assistant to the superintendent of public instruction shall not be subject to the provisions of Chapters 3 and 4, Revised Laws of Hawaii 1955, and further, that said administrative assistant shall serve at the pleasure of the superintendent.

Provided further, that if a sum less \$4,800,000 is provided by Congress under the provisions of Public Law 874, or any other public law which amends or supersedes Public Law 874, then the difference between \$4,800,000 and the sum so provided is hereby appropriated; and provided further, that if a sum greater than \$4,800,000 is provided, then this appropriation shall be reduced to the extent the estimated sum of \$4,800,000 is exceeded for the fiscal year 1964-65.

Provided further, that if a sum less than \$297,077 is provided by Congress under the provisions of Public Law 864 or any other public law which amends or supersedes Public Law 864, then the difference between \$297,077 and the sum so provided is hereby appropriated; and provided further, that if a sum greater than \$297,077 is provided, then this appropriation shall be reduced to the extent the estimated sum of \$297,077 is exceeded for the fiscal year 1964-1965.

Provided further, that the appropriations for the manpower development and training program, the area redevelopment program and the civil defense program shall be limited to the amount of federal grants available for such programs for the fiscal year 1964-1965.

Provided further, that the School Lunch Program is funded on the assumption that adult lunch prices shall be increased from 30¢ to 40¢.

Provided that any library having sufficient staff to keep open for fifty-four hours per week through efficient scheduling shall remain open to the public for said period.

Provided, that in the elementary and secondary programs the number of teaching principals, principals, and vice-principals authorized for the fiscal year 1964-1965 shall be determined by the number of public schools operative during the fiscal year and the provisions of Act 28, Session Laws of Hawaii 1962 and that the appropriation for these positions shall be adjusted accordingly.

Provided further, that the name "Kaioli School" is the name given to it by the Salvation Army and the use of the name by the department shall not be construed to create a new school in the department.

Provided further, that the 39 clerical positions are no longer categorized as surplus but shall be restored as authorized positions.

Provided further, that the six health coordinators who do not qualify for instructional positions shall be carried in the Budget and Finance Surplus Fund.

Provided further, that in the vocational post-high and adult education program, the department is authorized to hire no more than ten technical school teachers in excess of the position ceiling if the enrollment increase is such that the present level of services would be curtailed unless additional teachers were employed.

Provided further, that the department may from among the eight saving teacher positions transfer one such teacher to provide services for 11 blind students at McKinley High School.

Provided further, that the supervisor for remedial reading program has been converted to a program specialist for language arts; that one program specialist for educational television has been placed in the instructional aids program; that the position of program specialist for the gifted has been retained; that the vacant position of program specialist for economic education has been converted to a research specialist.

Provided, that \$20,000 has been provided to be contracted with the Honolulu Symphony Society on a matching basis, dollar for dollar, for neighbor island tours of its symphonic groups, and provided further that no charge shall be made to students for admission to concerts for which this appropriation is made.

Provided, that \$33,416 has been provided for summer institutes and teacher workshops.

Provided, further, that the allocation of 126 teachers shall be in conformity with the department's recommended new staffing formula in the area of expansion.

Provided, further, that the District Superintendents, within their respective school districts, shall have the authority, subject always to the approval of the State Superintendent of Education, to assign a teacher allocated to a particular school under the department's recommended new staffing formula to any grade (or combination of grades) within the school, or to reallocate or reassigned the same to another school within the same school district, provided, nevertheless, that the assignment or reallocation shall be confined to the elementary grades where the original allocation was to an elementary grade and to grades beyond the sixth grade where the original allocation was in that category.

UNIVERSITY OF HAWAII 16,478,302
(1721.563)

Administration

Net Appropriation 755,887(87)

General Activities

University Press	80,334(4)
Preservation of Hawaiian Language and Culture...	21,200(—)
Faculty and Administrative Travel.....	79,500(—)
Alumni Office	10,096(1)
Intercollegiate Athletics	9,700(1)
Legislative Reference Bureau.....	162,145(14.5)
Aquarium	90,845(11.75)
Net Appropriation	453,820(32.25)

Student Services

Net Appropriation 510,565(59.25)

Instruction

Auxiliary Instructional Activities.....	292,525(54.25)
Resident Instruction	8,517,870(844.719)
Hilo Campus	363,157(40)
Summer Session	540,000(5.25)
College of General Studies.....	597,612(22.5)
Total Requirements	10,311,164(966.719)

Less Estimated:

Special Funds:	
Summer Session	540,000(5.25)
General Studies	492,500(13)
Advanced Management	72,500(1)

Federal Funds:

Morrill-Nelson, Bankhead Jones.....	220,000(8)
National Defense Education Act.....	34,934(4.313)
R O T C.....	55,556(1)
Others	156,425(1)

Net Appropriation 8,739,249(933.156)

Library

Net Appropriation 814,660(80.5)

Organized Research

Director's Office	144,015(4)
Statistical and Computing Center.....	183,363(11)
University Research Committee.....	15,272(—)
Economic Research Center.....	81,372(7)
Pacific Biomedical Research Center.....	116,814(9.66)
Land Study Bureau.....	94,633(8)

Social Science Research Institute..... 49,720(5.5)

Hawaii Marine Laboratory..... 54,347(4.5)

Hawaii Institute of Geophysics..... 360,470(29)

Net Appropriation 1,106,006(78.66)

Operation and Maintenance

Administration	16,888(8)
Security	39,322(7)
Campus Mail	24,229(4)
Telephone Services	122,667(4)
Central Receiving and Warehouse.....	21,320(4)
General Maintenance and Trucking.....	88,318(14)
Grounds Maintenance	141,729(27)

Custodial	433,097(110)
Building Maintenance and Shop.....	650,513(13)
Total Requirements	1,538,083(191)
Less Estimated:	
Special Fund, Auxiliary Enterprises.....	11,384(2)
Net Appropriation	1,526,699(189)
Hawaii Agricultural Experiment Station	
Experiment Station	2,148,118(216.368)
Regional Research Travel.....	8,740(—)
Total Requirements	2,156,858(216.368)
Less Estimated:	
Federal Funds:	
Hatch Act	340,779(29.44)
Regional Travel Fund.....	8,740(—)
Net Appropriation	1,807,339(186.928)
Cooperative Extension Service	
Total Requirements	1,021,090(105.959)
Less Estimated:	
Federal Funds, Smith-Lever and Agricultural Marketing Act	312,328(37.14)
Net Appropriation	708,762(68.819)
International Activities and Contracts	
Net Appropriation	55,315(3)

Provided, that in the student services program a sum of \$19,000 shall be expended for the purpose of obtaining National Defense Education Act funds made available for student loan purposes. These funds shall be used to augment the University's financial assistance to students program.

Provided further, that in addition to the board of regents positions authorized for the University under this Act, the University of Hawaii may recruit for and make commitments to fill new board of regents instructional positions for the fiscal year 1965-1966 in an amount up to 50 per cent of the total number of workload increase board of regents instructional positions authorized by this Act; provided further, that appointments made under this authorization shall not become effective prior to July 1, 1965.

Provided further, that the amount of the appropriation necessary to obtain allotments of grants made by the United States Government for agricultural extension service and agricultural experiment station operations shall be payable to the University of Hawaii in toto, by single warrant, or by several warrants, representing periodic allotments, but only if this is a necessary condition for receiving such federal allotments. Such disbursements of funds used to obtain the federal allotments may be regularly audited by the federal auditor and shall be subject to the same limitations as the character of expenditures of the federal funds which they offset.

Provided further, that the University may contract for instructional personnel from July 1, 1964 to June 30, 1965 where such personnel will experience hardship in relocating to Hawaii.

Provided further, that the Land Study Bureau shall concentrate on the 100% completion of basic land classification on all island except Niihau by December of 1967.

DEVELOPMENT AND NATURAL RESOURCES

AGRICULTURE, DEPARTMENT OF	1,648,608 (179)
General Administration	
Net Appropriation	177,040(21)
Planning and Research	
Net Appropriation	24,617(1)
Marketing and Economics	
Administration	31,209(5)
Commodities	240,632(21.62)
Crop and Livestock Reporting Service.....	79,992(9)
Market News Service.....	29,288(3)
Total Requirements	381,121(38.62)

Less Estimated:	
Federal Funds	7,400
Net Appropriation	373,721(38.62)
Animal Industry	
Administration	40,131(5)
Livestock Disease Control	117,834(8)
Veterinary Laboratory	81,731(9)
Inspection and Quarantine	191,821(23)
Meat Inspection	203,540(22)
Meat Grading	19,500
Naalehu Disease Control	16,772(1)
Total Requirements	671,329(68)
Less Estimated:	
Federal Funds	18,272(1)
Special Funds	7,400
Net Appropriation	645,657(67)
Farm Loan	
Total Requirements	767,156(5)
Less Estimated:	
Farm Loan Reserve Fund	56,032(5)
Farm Loan Revolving Fund	711,124
Net Appropriation
Plant Industry	
Administration	38,904(5)
Plant Quarantine Inspection	210,993(28.75)
Entomology	122,420(13)
Weed, Seed and Herbicide	52,656(4.63)
Hawaii Soil and Water Conservation	2,600
Net Appropriation	427,573(51.38)
LAND AND NATURAL RESOURCES, DEPARTMENT OF	2,174,161
	(259)
Departmental Administration	
Net Appropriation	185,973(21)
Conveyances	
Net Appropriation	269,995(38)
Fish and Game	
Administration	47,600(7)
Fisheries, Research and Management	133,603(16)
Enforcement	142,985(18)
Wildlife, Research and Management	154,791(19)
Total Requirements	481,979(60)
Less Estimated:	
Appropriated Receipts	60,895
Federal Funds	148,800(3)
Net Appropriation	272,284(57)
Forestry	
Administration	55,482(4)
Research	68,738(1)
Forestry Management	539,462(61.5)
Total Requirements	663,682(67.5)
Less Estimated:	
Federal Funds	66,500(1)
Net Appropriation	597,182(66.5)
Land Management	
Net Appropriation	231,831(24.5)
State Parks	
Net Appropriation	208,181(35)
Water and Land Development Administration	
Net Appropriation	51,912(6)
Flood Control	
Net Appropriation	29,232(3)
Water Resources Survey	
Total Requirements	487,384(5)

Less Estimated:

Federal Fund—Hydrography	201,000
Special Fund—Hydrography	6,900
Net Appropriation	279,484(5)

Project Development

Net Appropriation	31,621(3)
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Supplementation to Irrigation Revolving Fund

Waimanalo Irrigation System	67,727(9)
Waimea Irrigation System	18,739(3)
Molokai Irrigation System	10,939(—)
Total Requirements	97,405(12)

Less Estimated:

Special Funds	80,939(12)
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Net Appropriation	16,466
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Provided, that the appropriation supplementing the irrigation system revolving fund shall be reduced to the extent that the actual receipts of this special fund shall exceed the estimated sum of \$50,939 for the fiscal year 1964-1965.

Provided further, that the sum of \$15,000 appropriated for continuation of the forest marketing survey shall be undertaken under a federal-state cooperative arrangement with provisions made for equivalent federal matching assistance in services, in kind or funds.

PLANNING AND ECONOMIC DEVELOPMENT, DEPARTMENT OF 1,604,595
(29)

Planning and Economic Development Service

Net Appropriation	334,275(29)
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Tourism Promotion

Net Appropriation	1,100,000
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Product Promotion

Net Appropriation	20,000
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Neighbor Island Economic Development

Net Appropriation	37,500
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Land Use Commission

Net Appropriation	42,820
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Co-Sponsorship of International Golf Tournament

Net Appropriation	40,000
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Neighbor Island Tourism Promotion

Net Appropriation	30,000
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Provided further, that in the neighbor island economic development program, the sum of \$12,500 shall, with the approval of the director of planning and economic development, be made available to the economic development committees of each of the neighbor island counties.

Provided further, that from and after March 1, 1965, any realizations in hearing fees of the Land Use Commission shall become general fund realizations.

Provided that in the Planning and Economic Development Service program the sum of \$43,219 is included to establish and operate a Foreign Trade Zone Center through the use of temporary services exempt from Chapters 3 and 4 of the Revised Laws of Hawaii 1955, as amended.

Provided further, that in the Products Promotion Program, the sum of \$20,000 shall be used at the discretion of the department, to match funds provided by any industry seeking to expand its market. The matching ratio shall be determined by the department and shall be based primarily on the ability of the participating industry to finance such a program.

Provided, that in the tourism promotion program, the department shall enter into a single contract for tourism promotion with the Hawaii Visitors Bureau in an amount not less than \$750,000.

Provided, that such contract may increase to a total contract amount of \$1,450,000 on a matching ratio of one of state funds to one of Hawaii Visitors Bureau privately donated funds received during the fiscal year 1963 and any such privately donated funds received as of the date of the signing of the contract.

Provided further, that the department shall, with the aid of the county advisory committees review, study, and recommend changes in written form in any area of the Bureau's activities for which any portion of the total contract funds, from whatever source derived, may be spent.

Provided further, that proposed expenditures in administration travel and entertainment shall be submitted quarterly in advance to the department for review and changes recommended by the department shall be referred to the Hawaii Visitors Bureau Board for disposition.

Provided further, that any state funds not included in said contract, shall revert to the general fund of the State upon the signing of said contract.

Provided further, that the sum of \$40,000 appropriated for the co-sponsorship of the International Golf Tournament shall be contingent upon matching funds being made available from private sources.

TRANSPORTATION, DEPARTMENT OF 135,249
(6)

General Administration

Total Requirements 958,237(76)

Less Estimated:

Special Funds:

Airports 378,579

Harbors 206,806

Highways 372,852

Net Appropriation

Airports

Administration 1,811,924(11)

Operations and Maintenance 2,289,309(188)

Total Requirements 4,101,233(199)

Less Estimated:

Special Funds, Airports 4,101,233(199)

Net Appropriation

Harbors

Administration 973,207(9)

Operations and Maintenance 1,125,672(116)

Honolulu Fireboat Operation 208,927

Small Boat Harbors 135,249(6)

Drawbridge Operations 34,173(3)

Total Requirements 2,477,228(134)

Less Estimated:

Special Funds, Harbors 2,341,979(128)

Net Appropriation 135,249(6)

Highways

Administration 4,438,712(3)

Operations and Maintenance 3,652,157(329)

Total Requirements 8,090,869(332)

Less Estimated:

Special Funds, Highways 8,090,869(332)

Net Appropriation

Provided, that in the drawbridge operation, the sum of \$34,173 is hereby deemed appropriated in the event legislation providing for financing of this operation entirely from the harbors special fund fails of enactment.

Provided, that in the Visitor Information Program, the services of persons contracted for, shall be temporary services, exempt from Chapters 3 and 4, Revised Laws of Hawaii 1955, as amended.

HEALTH, PROTECTIVE AND SOCIAL SERVICES

DEFENSE, DEPARTMENT OF 900,819
(111)

Civil Defense

Total Requirements 245,664(16)

Less Estimated:

Appropriated Receipts 112,975

Net Appropriation 132,689(16)

Command and Administration

Net Appropriation 351,833(37)

Maintenance and Operations

Total Requirements	457,572(58)
Less Estimated:	
Appropriated Receipts	41,775
Net Appropriation	415,797(58)

Provided, that if the Hawaii National Guard and the Hawaii Air National Guard shall be called or ordered into the service of the United States, the foregoing appropriations or any part thereof remaining unexpended shall be available to the Hawaii State Guard. If only a part of the Hawaii National Guard or the Hawaii Air National Guard should be called or ordered into the service of the United States, the Adjutant General with the approval of the director of finance shall allocate the foregoing appropriation or any part thereof remaining unexpended between the Hawaii State Guard and the Hawaii National Guard.

HEALTH, DEPARTMENT OF

9,569,675
(1413.6)

General Administration

Departmental Administration	306,009(40)
Health Education	72,025(9)
Research, Planning and Statistics.....	141,181(20)
Total Requirements	519,215(69)
Less Estimated:	
Appropriated Receipts	51,378(8)
Net Appropriation	467,837(61)

Communicable Disease

Administration	51,610(5)
Epidemiology	49,234(4)
Hansen's Disease:	
Outpatient and Special Services.....	58,704(7)
Hale Mohalu Hospital.....	398,814(45)
Kalaupapa Settlement	817,626(62)
Tuberculosis Control	190,231(23)
Total Requirements	1,566,219(146)
Less Estimated:	
Appropriated Receipts	1,210,147(2)
Special Funds	500
Net Appropriation	355,572(144)

Dental Health

Net Appropriation	292,904(47.6)
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District Health Offices

Total Requirements	209,319(35.5)
Less Estimated:	

Appropriated Receipts	43,585(8)
Net Appropriation	165,734(27.5)

Environmental Health

Administration	91,551(7)
Food and Drug.....	62,387(8)
Health Engineering	163,020(17)
Sanitation	418,030(55)
Vector Control-Mosquito	229,679(28)
Vector Control-Rodent	245,043(43)
Total Requirements	1,209,710(158)
Less Estimated:	

Appropriated Receipts	66,339(4)
Special Funds	13,742(1)

Net Appropriation	1,129,629(153)
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Medical Health Services

Administration	20,481(2)
Adult Health	116,897(10)
Alcoholism Services	51,807(4)
Crippled Children Services.....	384,214(27)
Hospital and Medical Facilities.....	75,028(9)
Maternal and Child Health.....	103,176(7)
Total Requirements	751,603(59)

Less Estimated:	
Appropriated Receipts	370,642(27.5)
Net Appropriation	380,961(31.5)
Hawaii State Hospital	
Administration	130,920(7)
Preventive and Outpatient Services.....	474,012(41)
Convalescent Services	103,228(11)
Administration	124,527(20)
Clinical Services	454,393(45)
Nursing Services	1,283,686(247)
Maintenance and Operations.....	372,517(42)
Support and Subsistence.....	736,750(68)
Total Requirements	3,680,033(481)
Less Estimated:	
Appropriated Receipts	131,350(5)
Net Appropriation	3,548,683(476)
Mental Retardation	
Administration	75,170(10)
Community Services	150,018(13.5)
Waimano Training School and Hospital	
Medical and Hospital Services.....	605,626(109)
Social Services and Parole.....	79,904(12)
Training	91,411(14)
Institution Facilities Administration.....	33,288(2)
Cottage Life	607,982(125)
Food Service	338,877(24)
Maintenance and Production.....	325,935(31)
Sewing Services	30,509(2)
Total Requirements	2,338,720(342.5)
Less Estimated:	
Appropriated Receipts	47,618(1)
Net Appropriation	2,291,102(341.5)
Special Health Services	
Administration	22,421(2)
Laboratory Services	250,733(31.5)
Nutrition	38,721(5)
Public Health Nursing.....	690,833(103)
Total Requirements	1,002,708(141.5)
Less Estimated:	
Appropriated Receipts	65,455(10)
Net Appropriation	937,253(131.5)
Research Projects	
Total Requirements	139,568(15)
Less Estimated:	
Appropriated Receipts	139,568(15)
Net Appropriation

Provided, that if a sum less than \$1,200,000 is provided by Congress for the Hansen's disease program, then the difference between \$1,200,000 and the sum so provided is hereby appropriated; and provided further, that if a sum greater than \$1,200,000 is so provided, then the amount of the net general appropriation shall be reduced to the extent that the actual realization shall exceed the estimated sum of \$1,200,000 for the fiscal year 1964-1965.

Provided further, that the appropriation made for poliomyelitis immunization in the epidemiology program shall first be used for the new born and then for the indigent and medically indigent; and provided further, that upon completion of the program any balances shall lapse into the general fund.

Provided further, that the appropriations for the Hawaii State Hospital are intended for an average daily inpatient population of 1,050 at said State Hospital.

Provided further, that the appropriation for Waimano Training School and Hospital is intended for an average daily ward population of 860.

Provided that the cessation of the operation of the farm at Waimano Home shall not cause the salary of any employee at such farm to be reduced, and provided further that the department shall provide any such employees with a job at Waimano Home.

Provided further, that within the limits of the authorized positions at Waimano Home there may be internal reclassifications to meet the problem of the phasing out of any of its present operations.

Provided that \$10,400 has been provided for the establishment of child training centers for mentally retarded children on Kauai and Molokai.

Provided further, that within the limits of the authorized positions at Samuel Maelona Memorial Hospital there may be internal reclassifications to meet the problems of its present operations.

Provided further, that in the event the action to surplus the hospital and medical facilities physician jeopardizes the receipt of federal funds, the action shall be reversed and the position shall again be authorized.

JUDICIAL BRANCH 2,691,794
(285.5)

Supreme Court

Supreme Court Proper.....	229,632(19)
Administrative Director	44,368(4)
Supreme Court Library.....	43,586(4)
Publication of Hawaii Reports.....	12,750
Bar Examination	1,000
District Court of Kalawao.....	250
Revisor of Statutes.....	50,036(4)
Total Requirements	381,622(31)
Less Estimated:	
Special Funds	1,000
Net Appropriation	380,622(31)

Land Court

Net Appropriation	34,378(3)
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First Circuit Court

First Circuit Court Proper.....	651,534(72)
Adult Probation	117,260(16)
Juvenile Court	484,154(59)
Jury Trial Expenses.....	107,750
Juvenile Detention Home.....	192,450(31)
Net Appropriation	1,553,148(178)

Second Circuit Court

Second Circuit Court Proper.....	111,031(11)
Jury Trial Expenses.....	6,000
Juvenile and Probation Operations.....	132,595(17.5)
Net Appropriation	249,262(28.5)

Third Circuit Court

Third Circuit Court Proper.....	166,421(16)
Jury Trial Expenses.....	30,400
Probation Operations	129,285(15)
Net Appropriation	326,106(31)

Fifth Circuit Court

Fifth Circuit Court Proper.....	91,727(9)
Jury Trial Expenses.....	6,555
Probation Operations	49,632(5)
Net Appropriation	147,914(14)

Provided, that the appropriation for the Juvenile Detention Home is intended for an average daily ward population of 35 children.

Provided, further, that the appropriation for jury trial expenses shall not be used for any other purpose.

Provided that from the funds appropriated for the Supreme Court Proper, the Judicial branch shall make not more than \$1,420 available to the standing committee on rules of practice and procedure for its expenses.

LABOR AND INDUSTRIAL RELATIONS, DEPARTMENT OF	611,130
	(71.3)
Administration	
Net Appropriation	157,859(17.3)
Apprenticeship	
Net Appropriation	40,777(5)
Labor Law Enforcement	
Net Appropriation	167,796(21)
Workmen's Compensation	
Total Requirements	124,054(12)
Less Estimated:	
Special Funds	25,000
Net Appropriation	99,054(12)
Industrial Safety	
Net Appropriation	124,776(15)
Hawaii Employment Relations Board	
Net Appropriation	20,868(1)
Provided, that in the Hawaii Employment Relations Board program, the Board shall hire two part-time professional hearing officers who are qualified attorneys licensed to practice in all courts of the State.	
SOCIAL SERVICES, DEPARTMENT OF	10,562,995
	(583.32)
Departmental Administration	
Total Requirements	371,007(50)
Less Estimated:	
Federal Funds	120,495(1)
Net Appropriation	250,512(49)
Parole and Pardon of Felons	
Net Appropriation	118,409(16)
Public Housing	
Total Requirements	3,273,539(215)
Less Estimated:	
Special Funds	3,273,539(215)
Net Appropriation
Corrections Division	
Administration	
Net Appropriation	47,526(6)
Detention and Rehabilitations of Juvenile Offenders	
Administration	38,684(5)
Correctional Services	162,449(23)
Correctional Care	272,581(54)
Operations	125,038(11)
Food Services	53,779(1)
Juvenile Parole	57,399(7)
Net Appropriation	709,930(101)
Custody and Rehabilitation of Felons—State Prison	
Administration	34,939(4)
Correctional Services	101,071(11)
Correctional Care	507,791(85)
Operations	186,790(10)
Food Services	199,813(3)
Correctional Industries	81,229(4)
Total Requirements	1,111,633(117)
Less Estimated:	
Special Funds	47,955
Net Appropriation	1,063,678(117)
Custody and Rehabilitation of Felons—Kulani Honor Camp	
Administration	23,331(3)
Correctional Services	26,155(3)
Correctional Care	126,101(19)
Operations	125,167(9)
Food Services	42,947(1)

ACT 50

Construction and Reconstruction of Prison Facilities	13,607
Total Requirements	357,308(35)
Less Estimated:	
Special Funds	13,607
Net Appropriation	343,701(35)
Custody and Rehabilitation of Felons—Olinda Honor Camp	
Administration	16,077(2)
Correctional Services	5,162(1)
Correctional Care	61,114(10)
Operations	44,617(4)
Food Services	24,073(1)
Gorse Control	7,934
Net Appropriation	158,977(18)
Social Welfare Services	
Administration	154,169(12)
Oahu Branch	1,278,029(173.5)
Hawaii Branch	223,935(35.27)
Maui Branch	153,061(23.25)
Kauai Branch	101,923(15.3)
Total Requirements	1,911,117(259.32)
Less Estimated:	
Appropriated Receipts	669,151(18)
Special Funds	124,785
Net Appropriation	1,117,181(241.32)
Economic Assistance	
Payments to Indigents and Medically Indigent	
Aid to Aged, Blind and Disabled	
Aged	1,002,398
Blind	97,561
Disabled	1,459,658
Aid to Families with Dependent Children	6,177,986
Child Welfare Foster Care	571,222
General Assistance	1,039,705
Medical Assistance for the Aged	1,497,625
Medical Assistance for Others	81,689
Government Physicians	196,000
Total Requirements	12,123,844
Less Estimated:	
Federal Funds	5,411,880
Net Appropriation	6,711,964
Payments for Vocational Rehabilitation of the	
Visually Handicapped	
Total Requirements	74,070
Less Estimated:	
Federal Funds	44,248
Special Funds, Donations	700
Net Appropriation	29,122
Payments for Disabled and Paraplegic Veterans	
Net Appropriation	11,995

Provided, that for engineering services in the Public Housing Program, the position ceiling to be financed out of project funds shall be 13.

Provided further, that in the housing management and maintenance programs the new positions shall be filled upon the new housing projects becoming operational.

Provided further, that the appropriation for the Detention and Rehabilitation of Juvenile Offenders program is intended for an average daily ward population of 218 children.

Provided further, that the appropriation for the Custody and Rehabilitation of Felons—State Prison Program is intended for an average daily inmate population of 450 felons.

Provided further, that the appropriation for the Custody and Rehabilitation of Felons—Kulani Honor Camp program is intended for an average daily inmate population of 90 felons.

Provided further, that the appropriation for the Custody and Rehabilitation of Felons—Olinda Honor Camp program is intended for an average daily inmate population of 40 felons.

Provided further that in the Corrections Services Program, the department shall review its operations and recommend such changes, including professional staffing requirements, to the next general session as will properly equip the program to meet its true rehabilitative goals, giving particular emphasis to the Molokai Forestry Camp.

Provided further, that \$4,800 from the Government Physician's account shall be used to purchase medical services for the Juvenile Detention Home on a fee for service basis.

Provided further, that the sum of \$9,950 in the Social Welfare Services program shall be available for scholarships on a state-wide basis to any qualified applicant.

Provided further, that the appropriation for payments for indigents are intended for average monthly caseloads of: Aid to the Aged—1,102 cases, Aid to the Blind—80 cases, Aid to the Disabled—965 cases, Aid to Families with Dependent Children—3,318 cases, Child Welfare Foster Care—572 cases, General Assistance—942 cases.

Provided further, that the average rates which shall be paid by the department shall not exceed the following: Outpatient care at \$3.91 per visit; and Inpatient care at \$36.85 per patient day. The total appropriation for this program is based on the following caseloads: Outpatient care at 15,550 patients per year at an average 5.8 calls per patient; inpatient care at 6,476 patients for an average 7.0 days per patient; and Nursing, convalescent and chronic care at 1,408 cases for an average length of stay of 119.5 days per patient.

FINANCE, COMMERCE AND STAFF DEPARTMENTS

ACCOUNTING AND GENERAL SERVICES DEPARTMENT OF

2,609,128
(274)

Departmental Administration

Net Appropriation	106,253(11)
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Insurance Management Program

Administration	750
Commercial Insurance Purchase of Auto	
Fleet Coverage	36,690

State Insurance Fund

Workmen's Compensation	220,000
Fire and Other Casualties.....	106,500
Total Requirements	363,940
Less Estimated:	
Special and Federal Funds.....	50,335
Net Appropriation	313,605

Internal Post-Audit

Net Appropriation	96,042(11)
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Division of Accounting Pre-Audit

Accounting	62,673(7)
Pre-Audit	89,027(10)
Net Appropriation	151,700(17)

Data Processing

Total Requirements	231,742(14)
Less Estimated:	
Special Fund	18,000
Net Appropriation	213,742(14)

Public Archives Division

Records Service	73,522(12.75)
Records Management	41,498(7.25)
Captain Cook Memorial.....	500
Total Requirements	115,520(20)
Less Estimated:	
Special Funds	500
Net Appropriation	115,020(20)

Division of Central Services	
Maintenance and Operation of Buildings	
& Grounds	992,877(131)
Repairs & Alterations of Buildings.....	253,835(18)
Central Messenger Service.....	18,664(5)
Total Requirements	1,265,376(154)
Less Estimated:	
Special Funds	71,496
Net Appropriation	1,193,880(154)
Automotive Services Division	
Parking	102,758(5)
Motor Pool	104,010(10)
Total Requirements	206,768(15)
Less Estimated:	
Special Fund	206,768(15)
Net Appropriation
Land Surveying	
Net Appropriation	241,847(27)
Division of Public Works	
Public Works Administration	
Net Appropriation	105,178(13)
Division of Purchasing and Supply	
Central Purchasing and Supply.....	43,988(6)
Inventory Management	7,373(1)
Federal Surplus Property.....	81,704(10)
State Surplus Property.....	19,016
Total Requirements	152,081(17)
Less Estimated:	
Federal Surplus Property Revolving Fund...	81,704(10)
State Surplus Property Revolving Fund.....	19,016
Net Appropriation	51,361(7)
Kamehameha Day Celebration Commission	
Celebration Expenses	
City and County of Honolulu.....	10,000
Hawaii County	5,000
Kauai County	2,500
Maui County, Including Kalaupapa.....	3,000
Net Appropriation	20,500

Provided, that for the architectural and engineering services in the public works program, the ceiling for positions financed from project funds shall be 72.

Provided further, that before the department shall seek other means of recruitment for staffing the central motor pool, the department shall seek the transfer within State employment of any employees whose jobs may have become unnecessary due to the centralization of the State's motor vehicle fleet.

ATTORNEY GENERAL, DEPARTMENT OF THE	554,969
	(41)
Attorney General's Office Proper	525,846(48)
Litigations	120,000
Total Requirements	645,846(48)
Less: Special Funds.....	146,100(14)
Net Appropriation	499,746(34)
Office of the Sheriff	
Net Appropriation	9,000(1)
Bureau of Crime Statistics	
Net Appropriation	6,770(1)
Bureau of Civil Identification	
Net Appropriation	24,097(3)
Commission of Subversive Activities	
Net Appropriation	15,356(2)

Provided further, that the Attorney General may, from departmental savings, expend a sum not in excess of \$10,000 to defray any reasonable and necessary expenses incurred by reason of hosting the National Conference of Attorneys General.

Provided, that from within the sum appropriated for litigations, there shall be expended the sum of \$20,000, or so much thereof as may be necessary for the purposes of developing and administering an effective consumer protection program, including enforcement of existing consumer protection laws, advising the Governor on matters affecting the interests of the people as consumers, recommendations to the Governor and the legislature for legislation to protect and promote the interests of the people as consumers, studies and reports to the people on consumer problems and appearances before governmental commissions, departments and agencies to represent and be heard on behalf of consumers' interests.

BUDGET AND FINANCE, DEPARTMENT OF 27,694,309
(72)

Departmental Administration

Net Appropriation 82,515(9)

Budget Division

Budget Services	186,343(19)
Bonus to Pensioners.....	2,378,827
Surplus Positions	229,608
Net Appropriation	2,794,778(19)

Management Division

Management Services	52,950(5)
Children and Youth.....	13,360(1)
Data Processing Management.....	38,953(5)
Net Appropriation	105,263(11)

Finance Division

Cash and Debt Management.....	53,252(6)
Public Debt Service.....	37,532
Bonded Debt	14,221,850
Veterans' Loans	1,840,403(1)
Total Requirements	16,153,037(7)
Less Estimated:	
Special Funds	1,840,403(1)
Net Appropriation	14,312,634(6)

Employees' Retirement System

Administration	204,701(25)
Contributions	8,147,937
Pensions	37,728
Total Requirements	8,390,366(25)
Less Estimated:	
County Pro-rata Share.....	65,919
Net Appropriation	8,324,447(25)

Employees' Group Medical and Hospital Care

Administration	39,075(5)
Contributions	2,058,858
Total Requirements	2,097,933(5)
Less Estimated:	
Premium Rebate Fund.....	39,075(5)
Net Appropriation	2,058,858(-)

Commission on Aging

Net Appropriation 15,814(2)

Provided, that the appropriation for any surplus position shall lapse thirty days after one offer of a position to the incumbent in any agency or department of the state government if the incumbent shall be certified for such position and if such position shall be on the island on which such incumbent shall be working at the time of such offer.

Provided, that the premium rebate fund of the Employees Group Medical and Health Care shall finance the administration of this program.

EXECUTIVE 474,299
(21)

Governor's Office

Net Appropriation 188,196(15)

Washington Place

Net Appropriation 69,873(6)

ACT 50

Governor's Contingent Fund

Net Appropriation 150,000

Western Interstate Commission for Higher Education

Net Appropriation 64,000

Institute for Technical Exchange

Net Appropriation 2,230

Provided, that the appropriation for the governor's office and Washington Place shall be expended at the discretion of the Governor.

Provided further, that expenditures from the governor's contingent fund may be made with the approval of the Governor for urgent needs for which no specific appropriation is made herein; a detailed accounting of all expenditures shall be submitted to the legislature 20 days prior to the next regular session of the legislature.

Provided further, that the Governor may transfer funds and personnel from existing agencies and department of the state government to create statewide data processing system of the state to establish an integrated system.

Provided further that in the WICHE program the sum of \$10,000 is made available for the increase in dues with the understanding that no further increases in dues shall be recognized unless first approved by the legislature.

LIEUTENANT GOVERNOR, OFFICE OF THE

279,507
(10)

Lieutenant Governor's Office

Net Appropriation 112,487(10)

Elections Administration

Net Appropriation 167,020

Provided that the appropriation for the Lieutenant Governor's Office shall be expended at the discretion of the Lieutenant Governor.

PERSONNEL SERVICES, DEPARTMENT OF

377,489
(40)

Personnel Services

Net Appropriation 370,997(40)

Appeal Board

Net Appropriation 6,492

REGULATORY AGENCIES, DEPARTMENT OF

901,171
(100)

Administration

Net Appropriation 99,926(12)

Bank Examination

Net Appropriation 124,168(14)

Business Registration

Net Appropriation 37,296(5)

Fire Marshal

Net Appropriation 32,355(3)

Insurance Division

Net Appropriation 91,448(11)

Regulatory Boards and Commissions

Net Appropriation 26,386

Professional and Vocational Licensing

Net Appropriation 267,392(33)

Public Utilities Commission

Net Appropriation 222,200(22)

TAXATION, DEPARTMENT OF

2,544,303
(337)

Administration

Net Appropriation 350,712(32)

Real Property Assessment

Net Appropriation 500,882(66)

Tax Maps

Net Appropriation 133,767(21)

Excise, Income and Miscellaneous Taxes

Net Appropriation 635,267(93)

Field Tax Audits	
Net Appropriation	356,534(41)
Collection of Taxes	
Net Appropriation	436,652(66)
Enforcement of Delinquent Taxes	
Net Appropriation	120,482(18)
Tax Appeals	
Board of Review.....	5,257
Tax Appeal Court.....	4,750
Net Appropriation	10,007

Provided, that the sum of \$50,000 is appropriated to the departmental administration without the creation of any positions subject to Chapters 3 and 4, Revised Laws of Hawaii 1955, as amended, to allow the director the necessary flexibility in improving the administration of the tax program of the State to provide the State with additional revenues without the need for a general tax increase; and provided further, that the director shall report on the additional realizations from the grant of this appropriation 20 days prior to the convening of the next regular session of the legislature; provided further, that upon completion of the mission for which this appropriation is made, the director may use any unexpended balance thereof as in his discretion may be deemed necessary and proper for the administration of the department.

SUBSIDIES TO COUNTIES AND PRIVATE AGENCIES

QUASI-PUBLIC INSTITUTIONS—TUBERCULOSIS HOSPITAL	3,897,334
	(634)

KULA SANATORIUM

Total Requirements	756,816(114)
Less Estimated:	
Hospital Receipts	45,000
Net Appropriation	711,816(114)

As a supplement to the estimated receipts for the operation and maintenance of the sanatorium in connection with the tuberculosis treatment program; provided, that the appropriation shall be reduced to the extent that the actual receipts and recoveries shall exceed the estimated sum of \$45,000 for the fiscal year 1964-1965; and provided further, that the appropriation above is intended for an average daily inpatient population of 70 in the tuberculosis division.

LEAHI HOSPITAL

Total Requirements	2,110,730(327)
Less Estimated:	
Hospital Receipts	92,300
Reimbursement from Trotter Indigent Unit..	130,000
Net Appropriation	1,888,430(327)

As a supplement to the estimated receipts for the operation and maintenance of the tuberculosis hospital in connection with the tuberculosis treatment program and the chronic illness and nursing care program; provided, that the appropriation shall be reduced to the extent that the actual receipts and recoveries shall exceed the estimated sum of \$92,300 for the fiscal year 1964-1965. All charges pro-rated to the Trotter indigent unit shall be reimbursed. The appropriation above is intended for an average daily inpatient population of 200 for the tuberculosis program, 86 for the Trotter indigent unit, and 115 other patients that may fall into any one of the categories listed immediately below.

Provided, that Leahi Hospital shall, within its present staff and facilities, furnish such other hospital services as it may be capable of providing, including, but not limited to, furnishing hospitalization and other ancillary services for the ambulatory aged, the partially rehabilitated mental cases and such other patients as may be referred to them by Department of Social Services and by other department or agency of the state. Any transfer of personnel from the tubercular program to this program shall be approved by the Director of Finance.

Provided further, that the department of budget and finance shall make periodic and complete fiscal and management audits, approve accounting systems and procedures, and shall allot funds on a quarterly basis.

Provided further, that the director of finance shall make available additional funds to Leahi Hospital for food and provisions on a per meal basis if budget appropriations are insufficient therefor.

Provided further, that no vacancies may be filled by Leahi Hospital without having first received the approval of the director of finance.

HILO HOSPITAL

Total Requirements	717,564(104)
Less Estimated:	
Hospital Receipts	27,035
Net Appropriation	690,529(104)

As a supplement to the estimated receipts for the operation and maintenance of the tuberculosis hospital for the fiscal year 1964-1965; provided, that this appropriation shall be reduced to the extent that the actual receipts and recoveries shall exceed the estimated sum of \$27,035 for the fiscal year 1964-1965; and provided further, that the appropriation above is intended for an average daily inpatient population of 90.

SAMUEL MAHELONA MEMORIAL HOSPITAL

Total Requirements	621,059(89)
Less Estimated:	
Hospital Receipts	14,500
Net Appropriation	606,559(89)

As a supplement to the estimated receipts for the operation and maintenance of the tuberculosis hospital for the fiscal year 1964-1965; provided, that this appropriation shall be reduced to the extent that the actual receipts and recoveries shall exceed the estimated sum of \$14,500 for the fiscal year 1964-1965; and provided further, that the appropriation above is intended for an average daily inpatient population of 70.

OTHER SUBSIDIES AND APPROPRIATIONS 422,800

GENERAL HOSPITAL SUBSIDIES

CITY AND COUNTY OF HONOLULU

Net Appropriation	121,000
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HAWAII COUNTY

Net Appropriation	90,200
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MAUI COUNTY

Islands of Maui, Lanai and Molokai	
Net Appropriation	118,000

KAUAI COUNTY

Net Appropriation	31,900
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Provided, that the moneys designated after each county shall be paid to the respective board of supervisors or city council, as the case may be, which board or city council shall disburse such funds to any county or private hospital within its jurisdiction as it deems best.

Provided further, that in the case of the City and County of Honolulu, the city council shall consider what the county hospital has received in the past. Provided, further, that the city council should determine the allotments for other hospitals as it deems best; provided that no rural hospital shall receive less than 10 per cent over the 1959-1960 territorial subsidies.

LUNALILO HOME

Net Appropriation	40,000
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VETERANS' CEMETERIES

Island of Hawaii.....	5,000
Island of Kauai.....	5,000
Island of Maui.....	5,000
Island of Molokai.....	2,500
Net Appropriation	17,500

PACIFIC WAR MEMORIAL COMMISSION

Net Appropriation	4,200
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SECTION 2. The sum of \$242,976(27) or so much thereof as shall be sufficient to accomplish the purpose, is hereby approved for the Hawaiian Homes Administration Account pursuant to the provisions of Section 213 (f), Hawaiian Homes Commission Act of 1920, as amended, from the proceeds of leasing income from available lands as defined in Section 204 of said Act.

Provided that from among the various vacant positions within the department, one such position may be reclassified in order to provide the deputy director with a secretary.

SECTION 3. The sum of \$229,608 appropriated by Section 1 hereof to the department of budget and finance for the payment of salaries or other compensation to the incumbents of filled general fund "surplus" positions shall be allotted in sufficient amounts to insure the payment of the compensation of such employees; provided, that no funds shall be allotted if the departments or agencies concerned can finance the cost of the positions from savings.

The department of budget and finance shall report, in detail, all expenditures from this fund to the respective houses of the legislature at least twenty days prior to the next regular session of the legislature.

Surplus special fund positions shall be controlled and reduced in the same manner as the surplus general fund positions.

SECTION 4. The sum of \$260,000 of Morrill Act Income is hereby authorized to be expended for the operating expenses of the University of Hawaii. This amount shall be deposited into the general fund of the state and shall be considered to be a reimbursement to the general fund for moneys appropriated for the operation of the University of Hawaii in Section 1 of this Act.

SECTION 5. The sum of \$118,613 of Sand Island Income is hereby authorized to be expended for the operating expenses of the University of Hawaii. This amount shall be deposited into the general fund of the state and shall be considered to be a reimbursement to the general fund for moneys appropriated for the operation of the University of Hawaii in Section 1 of this Act.

SECTION 6. The sum of \$390,525 of East-West Direct Support Funds, or so much as may be made available by the East-West Center for direct support purposes, is hereby authorized to be expended by the University of Hawaii. This amount shall be deposited into the general fund of the state and shall be considered to be a reimbursement to the general fund for moneys appropriated for the operation of the University of Hawaii in Section 1 of this Act. In the event the actual amount of East-West Direct Support Funds for the fiscal year 1964-1965 should fall under or exceed the amount of \$390,525 estimated, the appropriations made to the University of Hawaii in Section 1 of this Act shall be decreased or increased by the amount the actual direct support funds fall under or exceed the amount of \$390,525.

SECTION 7. All amounts received by the University of Hawaii for indirect overhead expenses on account of research and training contracts engaged in by the University of Hawaii shall be deposited into the general fund of the state and shall be considered to be a reimbursement to the state for monies appropriated for the operation of the University of Hawaii in Section 1 of this Act. The director of finance of

the state is hereby authorized to reduce the appropriation made to the University of Hawaii in Section 1 of this Act by the amount that indirect overhead funds received during the fiscal year 1964-1965 fall under the amount of \$260,837 estimated to be received by this Act. The director of finance is also authorized to increase the amount of the appropriation made to the University of Hawaii in Section 1 of this Act by the amount that indirect overhead funds received during the fiscal year 1964-1965 exceeds the amount of \$260,837 estimated to be received by this Act; provided, that such increase in appropriation is necessary to meet identifiable and necessary increases in indirect overhead expenses resulting from the acceptance of such additional research and training contracts.

SECTION 8. The Governor is hereby authorized to review such positions as are authorized under this Act and to find and declare such positions to be surplus when any one of the following situations exist:

- (1) There is duplication of services with other existing positions due to similarity of programs.
- (2) The need for such position has expired.
- (3) The duties and responsibilities may be better performed by some other position.
- (4) The purposes for which the position was created can better be accomplished by another position.

In any case where the Governor shall find any of the foregoing situations to exist, he shall declare, in writing, such position to be surplus and the director of finance shall transfer the funds for such position to the "surplus position" fund in the department of budget and finance and the incumbent shall be subject to the same conditions as any person occupying any surplus position under this or any other Act.

SECTION 9. There is hereby appropriated out of the public trust fund created by Section 5(f) of the Admission Act (Public Law 86-3, 86th Congress), the total amount of the proceeds from the sale or other disposition of any lands, and the income therefrom, granted to the state by Section 5(b) or later conveyed to the state by Section 5(e), with the exception of such proceeds covered under Section-19 of SECTION 2, Act 32, Session Laws of Hawaii 1962, to be disposed of by the board of land and natural resources, in order to reimburse the general fund for the appropriation made in Section 1 of this Act to the department of education for the support of public schools, to the extent such proceeds are realized for the period beginning July 1, 1964, to June 30, 1965. The above proceeds shall be exclusive of the amounts disposed of under the provisions of the Hawaiian Homes Commission Act 1920, as amended.

SECTION 10. For the fiscal year 1964-65, in the absence of legislative appropriations for special funds as provided under Section 2 of Act 320, Session Laws of Hawaii 1957, departments and establishments shall be authorized to expend so much as is deemed necessary to carry out the purposes of each special fund, as approved by the Governor, or the director of finance if so delegated by the Governor provided, that such expenditures shall not exceed the monies available in such special funds.

SECTION 11. Whenever the functions of a previously existing department, office, or other agency are transferred to any other department by legislation enacted during any session of the legislature which affects the appropriations made by this Act, the Governor, or the department of budget if so delegated by the Governor shall transfer the necessary funds to support such function from the department to which the appropriation was made to the department to which the function has been transferred.

SECTION 12. The designations referring to divisions, bureaus, offices and other subdivisions of departments are used in this Act for convenience only and such use is not intended to create or confirm the existence of such departmental subdivision.

SECTION 13. In allotting funds to the department of health, department of social services, tubercular hospitals, and other departments, commissions, and agencies having appropriations which are based on population and workload data as specified in this Act, only so much as necessary to provide the level of services intended by the legislature shall be allotted by the department of budget and finance. For this purpose, the departments and agencies concerned shall reduce expenditures below appropriations as prescribed by the department of budget and finance in the event actual population and workload trend is less than the specified figure. In the event that the trend is higher than the specified figure, the department is authorized to submit a deficiency appropriation request to the extent and on such basis as may be prescribed by the director of the department of budget and finance.

SECTION 14. Except as otherwise provided, transfer of funds between program appropriations within a department may be made by the head of the department upon his certification, and approval by the director of the department of budget and finance, that appropriation balances are or will be available for such transfers after the program objectives intended by the legislature have been accomplished and that such transfers are necessary to accomplish program objectives authorized by the legislature.

SECTION 15. Where the operation of a department or a program is financed by general appropriation as well as by non-general appropriation funds, the general appropriation portion shall be decreased to the extent that the receipt of non-general appropriation funds approved in this Act are exceeded, provided, that such decrease shall not jeopardize the receipt of such increased non-general appropriation funds; provided further, that this section shall not apply to any fund if such excess receipts are to be expended for a purpose or purposes approved by the Governor or the director of the department of budget and finance if such authority is so delegated by the Governor; and provided further, that except as otherwise provided, in the event non-general appropriation funds are not available as approved herein, the general appropriation funds shall be increased to the extent of the unavailability of non-general appropriation funds.

SECTION 16. The maximum number of positions authorized for the state government during the fiscal year 1964-1965 is the sum of the positions enclosed in parenthesis after the appropriation or approved

amounts for state programs, provided, that the number of positions and the approved amounts shall be modified in conformance with section 18; and provided further, that this section shall not apply to any position required to perform a function or service of a temporary or non-recurring character nor shall it apply to the classroom teaching positions in the department of education and the University of Hawaii.

SECTION 17. No funds appropriated in this Act shall be used by a department for the purpose of conducting a study or survey of its management practices or for any other purpose, except as authorized by this Act or any other action of the legislature or by a legislative interim committee.

SECTION 18. From the total general fund position count authorized under section 1 of this Act, there shall be deducted 120 positions which may be or may become vacant during the fiscal year. The governor shall identify and delete such positions and deduct, from the appropriation authorized in section 1 of this Act to the applicable departments such amounts as shall represent the unexpended salaries of the positions deleted.

SECTION 19. (a) The director of the Department of Budget and Finance, in this Act referred to as the "Director of Finance" may and he is hereby authorized to cause, for the purpose of conserving state funds, all positions authorized by this Act becoming vacant on or after July 1, 1964, to remain vacant; provided, that such vacancy if continued will not seriously hinder the accomplishment of the program objectives for which the positions were authorized.

(b) (1) There is hereby created, beginning July 1, 1964 in the Department of Budget and Finance, a fund to be known as the "Executive Flexibility Fund". To this fund, which shall be used to pay the costs of any actions taken by the Governor under section 19 (b) (2), shall be credited the following, to wit:

A. All moneys appropriated for positions financed out of the general fund which may be deleted by the Governor pursuant to becoming and remaining vacant on or after July 1, 1964, pursuant to paragraph (a) and which are not required to meet the cost of reclassification actions, transfer of vacation credits, the payment of accumulated vacation credits, and turnover savings;

B. Any moneys saved by the Director of Finance under section (c) hereof; and

C. An amount sufficient to meet the cost of all activities authorized in section (b) (2) from revenue in the general fund, not otherwise appropriated.

(b) (2) The Governor is hereby authorized in his discretion to create no more than 40 permanent or temporary positions to be allocated by him to any of the executive departments as he shall deem proper. The Director of Finance is hereby further authorized to expend, within the limits of the executive flexibility fund herein created, such sums of money as shall be necessary to make such positions operative and pay other state obligations.

(c) The Director of Finance may and he is hereby authorized to reduce appropriations for other current expenses, equipment and motor

vehicles, separately or collectively, which are incorporated in the general appropriations made in section 1 of this Act but not in excess of three per cent of such appropriations.

(d) Nothing herein stated shall authorize the Governor to restore positions which the legislature has eliminated or surplused for such programs that the legislature desires to phase out or deemphasize.

SECTION 20. Subject to sufficient justification being made to the department of budget and finance by the University of Hawaii, the creation of five classified positions for the university is hereby authorized. Salaries for such new positions shall be paid out of the overall appropriations made to the university in section 1 hereof.

SECTION 21. The sum of \$70,000, or so much thereof as may be necessary, is hereby appropriated to the department of budget and finance and shall be made available at the discretion of the director of finance to departments other than the department of education, the University of Hawaii or the judicial branch to meet such department's needs for items categorized as "other current expenses".

SECTION 22. Any law to the contrary notwithstanding, any state or county official, body or agency, or any private person, association, partnership or corporation performing any repair or construction project financed in part or in whole by state funds appropriated by this Act shall cooperate to the fullest extent possible with the department of labor and industrial relations in the hiring and utilization of unemployed persons; provided, that such persons may be employed on either a temporary basis which shall be exempt from chapters 3 and 4 of the Revised Laws of Hawaii 1955, as amended, or on a permanent basis; and provided further, that such persons shall meet the minimum requirements necessary for such position.

SECTION 23. The Department of Social Services, Department of Health and Department of Education and other departments within the state and county governments shall undertake to cooperate with each other in order that utilization of prison labor, welfare recipient workers and non-teaching employees of the Department of Education can be utilized whenever and wherever it is reasonably practicable to carry out the objectives and programs of the departments concerned.

SECTION 24. Any provision in this Act to the contrary notwithstanding, all positions deemed surplus in the Department of Regulatory Agencies as of July 1, 1963, shall not receive or be eligible for any benefits or other considerations conferred on other surplus positions by this Act.

SECTION 25. If any section, subsection, paragraph, sentence, clause, phrase or appropriation contained in this Act is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Act.

SECTION 26. This Act shall take effect from and after July 1, 1964.

(Approved May 1, 1964.) **H.B. 2.**

ACT 51

A Bill for an Act Relating to State Employment Programs and Amending Act 74, Session Laws of Hawaii 1963.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

A primary purpose of Act 74, Part I, Session Laws of Hawaii 1963, is to alleviate economic distress in areas that have experienced excessive unemployment. This purpose is frustrated if such areas are misdefined. In order to clarify and implement the intentions of Act 74, Part I, it is necessary immediately to specify the area which might be entitled to assistance under Act 74, Part I.

SECTION 2. Act 74, section 2, Session Laws of Hawaii 1963, is hereby amended by deleting therefrom the terms "a county", "such county" and "the counties" and substituting in lieu thereof the terms "an island of the State", "such island" and "the islands" respectively.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 1, 1964.) **HB. 167.**

ACT 52

A Bill for an Act Relating to Public Improvements and the Financing Thereof, Making Appropriations for Public Improvements and Plans Related Thereto Out of Special Funds and General Obligation Bond Funds and Harbor Revenue Bond Funds and Grants for the Annual Period Ending June 30, 1965; and Providing for the Issuance of General Obligation and Harbor Revenue Bonds.

Be it Enacted by the Legislature of the State of Hawaii:

Section 1. The following sums, or so much thereof as shall be sufficient to finance the projects herein contained, are hereby appropriated or authorized, as the case may be, from moneys in the treasury received from special funds, general obligation bond funds, revenue bond funds and federal grants, to be expended by the Department of Accounting and General Services, unless otherwise specified in the subsection. General obligation bonds may be issued as provided by law to yield the amount that may be necessary to finance projects herein provided that the sum total of general obligation bonds so issued shall not exceed \$30,950,000. The letter symbols used after the specific project appropriations indicate the sources of financing and shall have the following meaning: (a) general obligation bonds for federal aid highways, (b) general obligation bonds, (r) revenue bond funds, (s) special funds, (f) federal grants, (FAI) federal aid interstate, (FAP) federal aid primary, (FAS) federal aid secondary, and (FAU) federal aid urban.

A. STATEWIDE PROJECTS

1. Department of Accounting and General Services

a. State Capitol Building..... 1,600,000 b
 Construction of a new State Capitol Building complex including basement vehicle parking and service facilities on the basis of a total contract of not more than \$14,500,000 for all phases necessary to complete the Capitol Building complex in accordance with plans due to be completed on or about June 30, 1964, and for necessary relocation of legislative offices, executive departments and agencies affected by such construction; provided that, the contract for \$14,500,000 shall be binding on the State only to the extent of the total bond authorization for this project.

2. University of Hawaii

a. Graduate Research Library..... 535,000 b
 Construction of Phase I. First increment of planned structure estimated to cost \$2,500,000, exclusive of equipment and furnishings.

b. Classroom Building No. 4..... 1,200,000 b
 1,170,000 f
 Major classroom-laboratory-office facility centralizing the University's international programs.

c. Equipment for Gartley and Wist Hall Additions..... 30,000 b

d. Irradiation Laboratory 50,000 b
 Construction of irradiation laboratory.

e. Major Capital Improvements Projects..... 50,000 b
 Preliminary plans for several major capital improvements projects deemed essential to attain goals in the Academic Master Plan.

f. Roads, Drainage and Utilities and Emergency Construction 50,000 b

g. Relocation of Dental Hygiene, Ceramics and Sculpture Programs 104,000 b
 To renovate and improve existing buildings and equipment. To relocate Dental Hygiene, Ceramics and Sculpture Programs.

h. Geophysics Institute Facility, Kewalo Basin..... 425,000 b
 600,000 f

(To be expended by the Director, Department of Transportation.)

Design and construction of a building and related facilities for protective barrier model. (University of Hawaii to use building for the Geophysics program, after model tests are completed.)

i. Lower Campus Improvements..... 56,000 b
 Development of athletic and parking facilities in the quarry area.

j. Community College 42,916 b
 Plans for the establishment of a community college in the 10th Representative District, including but not limited to campus, building, and curriculum planning; acquisition of land; and administrative expenses. This appropriation shall be expended by the President of the University of Hawaii.

3. Department of Transportation

(To be expended by the Director, Department of Transportation.)

Highway Division

a. Statewide highway Route Planning, Traffic, Finance, Road Use, Road Life, and Economic Studies.....	196,000	s
	319,000	FAI
	42,000	FAP
	28,000	FAS
	18,000	FAU

B. PROJECTS LOCATED IN THE CITY AND COUNTY OF HONOLULU**1. Department of Land and Natural Resources**

(To be expended by the Director, Department of Land and Natural Resources.)

Land Development Projects

a. Food Distribution Center.....	250,000	s
Roads, utilities, improvements and common-use equipment for the first increment of a food distribution center in the Fort Armstrong area.		
b. Waimanalo Development, Oahu.....	468,196	s
	600,000	f
Incremental development of roads; sewerage, water and storm drainage systems; structures, fill and street lighting; including any costs necessary to enable the return or use of lands comprising Bellows Air Force Station to the State.		
c. Shafter Flats, Oahu.....	498,520	s
Land acquisition, planning and development of an industrial subdivision on State lands near Kam Highway in Moanalua, Oahu.		
d. Marks Subdivision, Oahu.....	55,000	s
Planning and development of a residential subdivision at Nuuanu.		
e. Waimanalo Agricultural Subdivision, Oahu.....	73,000	s
Planning and development of approximately 300 acres of an agricultural subdivision including additional water to serve Waimanalo Valley.		
f. Wodehouse Residential Subdivision, Oahu.....	6,000	s
Planning and development of a residential subdivision at Nuuanu.		
g. Diamond Head, Oahu.....	537,000	s
Development of a residential subdivision on the Koko Head slopes of Diamond Head crater.		

State Parks

h. Preparing plans for a natural park in Nuuanu Pali Area	10,000	b
i. Keaiwa Park Improvements.....	25,000	b

Fish and Game

j. Wahiawa Public Fishing Area, Oahu.....	6,500	b
Construction of road, parking area, boat launching ramp and floating dock.	19,500	f

2. Department of Transportation

(To be expended by the Director, Department of Transportation)

Airports

a. Four Stall Fire and Rescue Buildings, Honolulu International Airport	180,000	b
	156,000	f
Construction of fire and rescue building to replace existing temporary wooden shelter.		
b. General Aviation Airfield, Kunia, Oahu.....	205,000	b
	165,000	f
Land acquisition and construction of an airfield for small planes in the vicinity of Kunia.		

c. Additional Roads and Utilities, Honolulu International Airport	215,533 b
Completion of road and utilities in Pan Am service area and construction of concession booth.	

Harbors

d. Piers 5 to 12, Improvements and Renovations, Honolulu..	559,000 r
Development of Pier 5-6 into parking area, widening of Pier 9 apron, construction of portal roof over escalator, construct 350 ft. wharf at Pier 5, and construct pilot boathouse at Pier 12.	
e. Development of Container Facilities at Fort Armstrong..	807,000 s
Construct container freight station building, paved area and jetty.	134,000 r
f. Demolition of Pier 12, Honolulu.....	70,000 r
Demolish building and pier structure up to bulkhead wall.	
g. Waianae Marina Improvements.....	20,000 b
h. Haleiwa Beach Restoration and Small Boat Harbor.....	447,000 b
To dredge and build groins, catwalks, put in utilities, construct embankments and restore beach. To be used alone or in connection with federal funds.	200,000 f

Highways

i. Interstate Route H-1—Koko Head Avenue to vicinity of Aina Koa	1,462,000 a
Construction of a six-lane divided highway.	7,853,000 FAI
j. Interstate Route H-1—Barber's Point to Kunia Road—Sec. I	381,000 a
Construction of a four-lane highway from Palailai to Makakilo.	2,159,000 FAI
k. Interstate Route H-1—Barber's Point to Kunia Road—Sec. III	204,000 a
Construction of Kunia Interchange.	1,157,000 FAI
l. Interstate Route H-1—East of Kunia Interchange to East of Waiaua Interchange.....	50,000 a
Plans and right-of-way acquisition for 3.9 miles of six-lane divided highway.	2,044,000 FAI
m. Interstate Route H-1—East of Waiaua Interchange to West of Waiau Interchange.....	178,000 a
Plans and land acquisition for the construction of 1.1 miles of eight-lane divided highway.	1,002,000 FAI
n. Interstate Route H-1—West of Waiau Interchange to East of Halawa Interchange.....	445,000 a
Plans and land acquisition for the construction of 3.3 miles of eight-lane divided highway, including the Waiau and Halawa Interchanges.	2,693,000 FAI
o. Interstate Route H-1—East of Halawa Interchange to West of Keehi Interchange.....	154,000 a
Land acquisition for the construction of 4.2 miles of eight-lane divided highway, including the Pearl Harbor and Airport Interchanges.	776,000 FAI

p.	Interstate Route H-1—West of Keehi Interchange to West of Kapiolani Interchange.....	113,000 a 643,000 FAI
	Plans for approximately 4.9 miles of four and six-lane highway. Or plans for Interstate Route H-3, whichever can be undertaken first.	
q.	Interstate Route H-2—Waiawa Interchange to Schofield Barracks	107,000 a 643,000 FAI
	Plans and land acquisition for the construction of 8.6 miles of divided highway including a major bridge crossing at Kipapa Gulch and an interchange structure in the vicinity of Wahiawa.	
r.	Lunalilo Freeway—Nuuanu Stream to Pele Street.....	376,000 a 307,000 FAP
	Paving of 0.597 mile of six-lane divided highway.	
s.	Aiea Interchange	299,000 a 401,000 FAS
	Completion of interchange.	
t.	Kunia Road—Farrington Highway towards Schofield Barracks	5,000 a 3,000 FAP
	Updating plans for the construction of 1.0 mile of two- and four-lane divided highway in conjunction with Interstate Route H-1.	
u.	Farrington Highway—Barber's Point to Piliokoe Gulch..	343,000 a 355,000 FAS
	Land acquisition for the construction of 4.6 miles of four-lane highway.	
v.	Miscellaneous Improvements of Certain Drainage Facilities on Oahu.....	22,000 s
	Installation of culverts on Kamehameha Highway, Kaneohe Bay Drive and Kalaeo Avenue, and construction of cement rubble masonry wall along Wailupe Stream.	
w.	Kalanianaole Highway—Kailua Junction towards Waimanalo—Sec. II	279,000 a 374,000 FAP
	Grading of a four-lane prism and construction of two-lane pavement from end of Section I.	
x.	Lunalilo Freeway—Pele Street to Keeauumoku Street....	1,200,000 a 78,668 s
	Completion of plans and rights-of-way acquisition for 1.1 miles of six-lane highway.	
y.	Vineyard Boulevard—Lusitana Street to Lunalilo Freeway	114,000 a 86,000 FAU
	Land acquisition for the construction of 0.3 mile of six-lane divided highway.	
z.	Moanalua Road Widening.....	666,000 a 100,000 s
	Widening of approximately 1.6 miles of existing four-lane divided highway to a six-lane divided highway and preparing plans and initiate purchasing right-of-way for connection between Moanalua Road and the new alignment of Halawa Heights Road.	
aa.	Installation of Street Lights, Waokanaka Street, Oahu..	5,000 b
bb.	Halawa Heights Road, Street Lights.....	10,000 b
cc.	Moanalua Road towards Camp Smith.	
cc.	Farrington Highway, Lights.....	25,000 b
	Replace and improve highway lights along Farrington Highway between Nanakuli Avenue and Hakima Road.	

dd.	Deceleration Lanes and Traffic Signals on Ala Moana Boulevard at Hobron Lane and Kalia Road.....	69,000 s
	Construction of left turn storage lanes on Ala Moana at Hobron and at Kalia and installing traffic signals at Hobron.	
ee.	Miscellaneous Improvements to Existing Intersections and Highway Facilities for Oahu.....	50,000 s
ff.	Kamehameha Highway California Avenue to Karston Thot Bridge. Widening of existing highway and installation of street lights.	61,000 b
gg.	Pedestrian Safety Walkway Parallel Kalanianaole Highway between Kirkwood Place and May Way, including foot-bridge on Maunalua bridge.....	40,000 b
3.	Department of Education	
	Special and Technical School	
a.	Honolulu Technical School..... Plans and construction of classroom and shop building.	81,000 b
b.	Honolulu Technical School, Electricity Building..... To replace power transformer and custodian's cottage; and to provide roadways, drainage, fencing, landscaping, and paved parking areas and to complete building being constructed with Act 201, S. L. H. 1963 funds.	95,000 b
c.	Kapiolani School Restaurant Building..... Construction of a building for Hotel Restaurant Training Program.	300,000 b
	Libraries	
d.	Kahuku Public-School Library..... As a supplement to Act 201, SLH 1963, appropriation.	175,000 b
e.	McCully-Moiliili Branch Library..... Additional funds for plans, construction and equipment.	325,000 b
f.	Manoa Branch Library..... Additional funds for plans, construction and equipment.	230,000 b
	Vocational Rehabilitation Division	
g.	Vocational Development Center, Fort Ruger..... State Grant.	20,000 b
4.	Hawaiian Home Lands	
	(To be expended by the Director, Hawaiian Home Lands)	
a.	Additional Sewer Line Requirements, Waimanalo, Oahu, Houselots	120,000 b
	Install dry sewer lines in the 150 lot Hawaiian Home subdivision.	
5.	Department of Health	
a.	Renovations to Ward M, State Hospital.....	14,000 b
	Removing large section of wall, extending the living space, installing lighting, plumbing, painting and flooring.	13,000 f
b.	Renovations and Expansion of Wards 1, 3, and 10, Waimano	57,000 b
	Enlargement of day rooms of buildings 1 and 10; enclosing 756 sq. ft. lanai and other renovations in building 3.	
c.	Renovation, Repairs and Equipment of Hawaii State Hospital Chapel	21,000 b
d.	Kahuku Hospital, Diagnostic Treatment Building..... A grant to the Kahuku Hospital for the construction of a diagnostic building.	30,000 b

6. Department of Social Services

Public Welfare Division

a. Ho'opono Final Phase..... 31,000 b
 Plans for a multi-story building connecting with existing Ho'opono facilities.

Corrections Division

b. Replace Electrical System, Youth Correctional Facility.. 14,000 b
 To supplement the \$6,000 authorized by Act 30 to replace the electrical system.

c. State Prison 100,000 b
 Develop program, plans, specifications, engineering, site preparation to construct a modern multiple security prison.

d. Security Lighting 10,250 b
 For better and more efficient lighting of certain security areas. State Prison. (The use of prison labor for this project is recommended.)

e. Kaala Cottage Control Room..... 16,000 b
 Provide central location from which observation and supervision can be made between two dormitories. Kaala Cottage, Youth Correctional Facility.

f. Survey of Water and Fire Protection System, Youth Correction Facility 6,000 b
 Survey of water system to determine measures to correct present inadequacies.

Hawaii Housing Authority

(To be expended by the Hawaii Housing Authority)

g. Kuhio Park Terrace..... 1,315,000 r
 Two 16-story apartment buildings with 572 units and fourteen 1 and 2-story buildings with 42 units for Federally assisted low-rent housing to be located on former Kalihi War Homes site.

h. Wahiawa Low-Income Housing..... 941,000 r
 60 dwelling units for families of low income.

i. Kalakaua Low-Income Housing..... 890,000 r
 210 dwelling units for the elderly.

j. Waimanalo Low-Income Housing..... 806,000 r
 60 dwelling units for families of low income.

k. Kukui Low-Income Housing..... 1,189,000 r
 150 dwelling units for the elderly.

7. Department of Defense

a. Site Improvements, Fort Ruger..... 10,000 b
 Demolition of approximately ten wartime emergency type frame buildings which are beyond economical repair and rehabilitation, and the grading and landscaping of the site.

b. Additional Disaster Warning Sirens, All Counties..... 33,000 b
 27,000 f
 Installation and relocation of additional civil defense air raid sirens in all counties as follows: Oahu—18 new and 7 relocated; Hawaii—6 new; Maui—3 new; Kauai —3 new and 1 relocated.

8. Department of Accounting and General Services

a. Restoration of Washington Place..... 71,000 b
 Construction work necessary to restore, rehabilitate, and renovate Governor's Mansion.

b. Renovation of Electrical System, Honolulu Civic Center. 7,000 b
 Renovate external electrical system of certain buildings in the civic center to correct existing and expected critical deficiencies.

9. Department of Taxation			
a. Air Conditioning—Hale Auhau.....	50,000	b	
Air conditioning selected areas of the Tax Office Building.			
10. Department of Agriculture			
a. Relocation of Facilities from Fort Armstrong Area.....	465,000	b	
Relocating animal quarantine station facilities. Plans, land acquisition, site improvements, and construction of the Communicable Disease Laboratory and Quarantine Facility.			
11. Judiciary			
a. Alterations and Improvements to Judiciary Building....	155,000	b	
Alterations and improvements on makai portion of first floor and on second floor of the Judiciary Building to house three additional courtrooms of the First Circuit Court and to provide air-conditioning for this space and the Supreme Court Library.			
12. Pacific War Memorial Commission			
a. Site work, roadway and parking for Keehi Lagoon Memorial	50,000	b	
13. Department of Planning & Economic Development (To be expended by the Director of the Department)			
a. State Funds to Match Federal Planning Grants to update the State General Plan.....	58,416	b	
14. Assistance to the Counties (To be expended by the City and County of Honolulu unless otherwise specified)			
A. Schools			
1. Windward Oahu Schools Portable Classrooms and Toilets	250,000	b	
To reimburse the City and County of Honolulu for funds advance to assure completion by September, 1964.			
2. Waiahole School	200,000	b	
Plans, Construction and Equipment for Cafetorium.			
3. Keolu Elementary School.....	25,000	b	
Plans, Cafetorium.			
4. Washington Intermediate School.....	153,000	b	
Construction of Industrial Arts Building.			
5. Washington Intermediate School.....	14,000	b	
Improvements and repairs for Athletic Field including volleyball court.			
6. Roosevelt High School.....	15,000	b	
Plans for swimming pool for students at Roosevelt and adjacent schools.			
7. McKinley High School.....	200,000	b	
Construction of gymnasium provided City and County of Honolulu appropriates balance of total funding requirements.			
8. Kaahumanu Elementary School	225,000	b	
Plans for and construction of cafetorium.			
9. Nuuanu Elementary School.....	16,000	b	
Plans and specifications for cafetorium.			
10. Royal Elementary School.....	50,000	b	
Overpass over Emma Street from school campus to Kamamalu Playground.			
11. Pauoa Elementary School.....	132,000	b	
Plans and construction of 5-classroom kindergarten replacement building.			
12. Nanaikapono School	30,000	b	
Portable classroom for the 11th grade.			

13. Maile Elementary School Cafetorium.....	19,000 b
Plans	
14. Makaha Elementary School.....	19,000 b
Administration and Library Building, Plans.	
15. Ewa Beach Elementary School Classrooms.....	30,000 b
16. Palisades Elementary School, Land Purchase.....	10,000 b
17. Waimalu School (Library).....	40,000 b
18. Ewa Elementary School.....	30,000 b
Improvements to classrooms and cafeteria.	
19. Waianae Elementary School.....	30,000 b
Improvements to classrooms and cafeteria.	
20. Waipahu High School.....	30,000 b
Roads and campus improvements.	
21. Alva Scott School.....	25,000 b
Covered walkway from sidewalk frontage to school.	
22. Waimalu Elementary School.....	10,000 b
Covered walkway from kitchen to classrooms.	
23. Halawa Kai Elementary School.....	30,000 b
Improvements to classrooms and campus roads.	
24. Pearl City Kai School.....	30,000 b
Plans for 10 classroom second increment and covered walkways.	
25. Waipahu Elementary School Cafetorium.....	19,000 b
Plans	
26. Aiea Intermediate School Cafetorium.....	19,000 b
Plans	
27. Leilehua High School Improvements.....	39,000 b
Covered Walkways	(22,500)
Teachers Dining Room.....	(16,500)
28. Helemano Elementary School.....	8,000 b
Covered walkways.	
29. Kipapa Elementary School.....	5,000 b
For asphalt paving of Parking Area.	
30. Wahiawa Elementary School.....	15,000 b
Renovation of kitchen and equipment.	
31. Waialua High School.....	150,000 b
Two vocational workshops.	
32. Farrington High School.....	30,000 b
Improvements of land acquired due to realigning of highway.	
33. Kalihii-Uka Elementary School.....	200,000 b
Construction of a cafeteria to include a kitchen, dining room and stage.	
34. Shafter Elementary School.....	85,000 b
Construction of classrooms, provided that residue PL815 and county funds are made available to complete the school.	
35. Kalihii-Waena School	130,000 b
a. Construction of a new building to replace the existing administration building and library building.	
36. Puuhale School	30,000 b
a. Construction and equipment for two-classroom kindergarten building.	
37. Kalihii Elementary School.....	58,000 b
a. Grounds Improvement	
38. Kaimuki Intermediate School.....	6,000 b
a. Plans for 8 regular and 1 special classrooms.	
39. Farrington High School.....	20,000 b
a. Repairs to hallways.	
40. Radford High School.....	25,000 b
a. Plans for construction of a school gymnasium.	

41.	Dole Intermediate School.....	20,000	b
	a. Plans for construction of a school gymnasium.		
42.	Kalihi Kai School.....	190,000	b
	a. Plans and construction of two-story classroom building.		
43.	Likelike School	244,000	b
	a. Plans and construction of classroom building (replacement).		
44.	Kalakaua Intermediate School.....	200,000	b
	a. Plans and construction of new shop building.		
45.	Kapalama School	190,000	b
	Planning and construction, two-story classroom, replacement.		
46.	Maeame School	132,000	b
	Planning and constructing and equipping Administration Library Building.		
47.	Lanakila School	225,000	b
	Planning and construction and equipping one ten-unit classroom replacement.		
48.	Farrington High School.....	58,000	b
	Classroom renovation.		
49.	Kalani High School Gymnasium.....	225,000	b
50.	Kaimuki High School.....	24,000	b
	Construction of loop over teachers' open court dining room.		
51.	Kaimuki High School.....	16,000	b
	Improvement to athletic field.		
52.	Liholiho Elementary School.....	4,000	b
	Chain link fence.		
53.	Aliiolani Elementary School.....	176,000	b
	Construction of 10 classrooms.		
54.	Jefferson Elementary School.....	15,000	b
	Covered walkway.		
55.	Kaimuki High School.....	30,000	b
	Bleachers for swimming pool.		
56.	Aliiolani Elementary School.....	70,000	b
	Construction of cafeteria.		
57.	Liliuokalani Elementary School.....	22,000	b
	Plans and engineering for 12 classrooms		
58.	Liliuokalani Elementary School.....	18,000	b
	Plans for cafeteria.		
59.	Palolo Elementary School.....	18,000	b
	Plans for 10 classrooms.		
60.	Palolo Elementary School.....	10,000	b
	Plans for administration-library building.		
61.	Waikiki Elementary School.....	11,000	b
	Plans for 6 classrooms in the 2nd increment.		
62.	Waikiki Elementary School.....	19,000	b
	Plans for administration-library building.		

B. Parks

1.	Aliamanu Park	75,000	b
	Completion of improvements.		
2.	Moiliili Triangle (Junetion of South King and South Beretania Streets)	4,000	b
	Landscaping of triangle area.		
3.	Moilili Field Park and Ala Wai Field Park.....	10,000	b
	Plans and construction of comfort stations, bleachers and screening protection. (Back-stop)		
4.	Nanaikapono Park	10,000	b
	Lights for baseball field.		
5.	Aiea Recreation Center Gymnasium Plans.....	50,000	b
	Gymnasium for school and community use.		
6.	Waianae (Pokai Bay) Picnic Shelters and Facilities	10,000	b

7. Maili Beach Park.....	50,000 b
Land acquisition of one acre.	
8. Aiea Recreation Center Improvements.....	25,000 b
Provide filter system and other improvements to the swimming pool.	
9. Plans for construction of a park at Na Pueo Reservoir, Alewa Heights, Oahu.....	5,000 b
10. Palolo Valley Field Playground.....	2,000 b
Plans to improve playground and building.	

C. Others

1. Kalawao Stream Flood Control.....	7,500 b
Stonewall	
2. Foot Paths along Farrington Highway, Makaha.....	15,000 b
3. Waiawa Stream Flood Control.....	25,000 b
4. Master Plan for the Pearl City Civic Center.....	10,000 b
5. August Ahrens School.....	30,000 b
Improvements for cafetorium and Classrooms.	
6. Construction of an additional Traffic Lane for the On Ramp to the Lunalilo Freeway from Old Waialae Road	35,000 b
(To be expended for the Director, Department of Transportation)	

C. PROJECTS LOCATED IN THE COUNTY OF MAUI**1. Department of Land and Natural Resources**

(To be expended by the Board of Land and Natural Resources)

To accomplish the State Forest and State Parks development projects listed in this section, the Department of Land and Natural Resources shall, whenever practicable, utilize the labor of wards of the Corrections Division of the Department of Social Services. The Department may also use its present staff and staff of other State agencies such as but not limited to the Department of Transportation and Accounting and General Services, and the County of Maui, employ temporary personnel who shall be exempt from the provisions of Chapter 3 and 4, R.L.H. 1955, as amended, and who are duly registered as unemployed with the Department of Labor and Industrial Relations, to the maximum practical extent. The Department may enter into contracts with other governmental agencies, for necessary equipment, supplies, and other services to be used in the project, if not with governmental agencies then with private firms by public bid.

Land Development

a. Molokai Farm, Molokai.....	318,923 s
Planning and development of an agricultural subdivision on State lands near the Molokai airport.	
b. Wahikuli House Lots, Maui.....	200,000 s
Planning and development of residential houselots.	

Forestry

c. Forest Development Roads and Trails, Maui.....	37,638 b
Construct secondary roads with oil and cinder application, Kula to Polipoli and other roads and trails.	
d. Forest Development Roads, Molokai.....	10,000 b
Construct 8.5 miles of single tract dirt road with turnouts and permanent culverts.	

State Parks

e. Major State Park, Maui.....	10,000 b
Plan to determine most desirable site for a major State park including a program of development.	
f. Laniupoko Park, Lahaina General Improvements.....	20,000 b

g. Other Parks and Parkways, Maui..... 100,000 b
 Regarding items e, f and g above, the Department of Land and Natural Resources shall consult with the Maui Beautification Committee in order that the park and parkway developments and plantings will conform with a coordinated program for the beautifications of the islands.

Water Development

h. Molokai Irrigation Project, Molokai..... 250,000 b
 Development of water sources, transmission lines, storage facilities, distribution system. Provided, that lapsing provisions in Section 9 shall not apply. This appropriation shall remain in effect in an amount equal to the federal loan indebtedness.

2. Department of Transportation

(To be expended by the Director, Department of Transportation)

Airports

a. Molokai Airport Improvements..... 65,000 s
 Plans for the reconstruction and enlargement of Molokai Airport.

b. Lanai Airport 243,000 b
 60,000 s
 398,000 f

Extension of runway 3-21, extend and widen runway to 5,000 x 150 feet.

Harbors

c. Maalaea Small Boat Harbor..... 100,000 b
 385,000 f

Construction of catwalks, dredging of slips, and shore facilities.

d. Erosion Control, Kahului, Maui..... 60,000 s
 Construction of revetment or groins to control beach erosion.

Highways

e. Waiku Beach Road..... 84,872 a
 77,128 s
 133,000 FAS

Reconstruction and paving of 1.0 mile section of existing road, including bridge and major drainage improvements from Iao Stream to Kahekili Highway; including realignment of 0.3 mile of Kahekili Highway.

f. Waihee Bridge and Approaches..... 150,000 a
 122,000 FAS

Construction of a reinforced concrete bridge over Waihee Stream, replacing two existing bridges on Route 330.

g. Wailuku By-Pass 50,000 b
 Plans for construction of a highway bypassing Wailuku.

h. Honoapiilani Highway and Kahekili Highway..... 100,000 b
 Reshaping, widening and improving existing road (Honoapiilani Highway) from Honokohua School towards Kahakuloa, and (Kahekili Highway) from Waihee towards Kahakuloa.

Regarding item C-2-h, the Department of Transportation shall, whenever practicable, utilize the labor of wards of the Corrections Division of the Department of Social Services. The Department may also use its present staff and staff of other State agencies including but not limited, to staff of the Department of Land and Natural Resources and Accounting and General Services and the County of Maui; employ temporary personnel who shall be exempt from the provisions of Chapter 3 and 4, R.L.H. 1955, as amended, and who are duly

registered as unemployed with the Department of Labor and Industrial Relations, to the maximum practical extent. The Department may enter into contract with other governmental agencies for necessary equipment, supplies, and other services to be used in the project, if not with governmental agencies then with private firms by public bid.

3. Department of Education

Public Libraries

a. Wailuku Library—Re-roofing	25,000 b
Complete re-roofing of the main library.	
b. Makawao Branch Library Building.....	15,000 b
Plans for library building and acquisition of land.	

4. University of Hawaii

Community Colleges

a. Maui Community College.....	100,000 b
Plans for the establishment of a community college on Maui including but not limited to campus, building, and curriculum planning, acquisition of land; and administrative expenses. (This appropriation shall be expended by the President of the University of Hawaii.)	

5. Department of Health

a. Maui Health Center.....	107,000 b
Construction of office, laboratory and clinic, garage buildings and equipment.	100,000 f
b. Kalaupapa Settlement	11,000 b
Re-roofing of buildings.	

6. Department of Accounting and General Services

a. State Office Building, Wailuku.....	340,000 b
Additional funds for the construction of a State Office building for joint occupancy by certain State agencies in Wailuku provided by Act 201, Session Laws of Hawaii 1963, including equipment.	

7. Department of Social Services

Hawaii Housing Authority

(To be expended by the Hawaii Housing Authority)

a. Kahekili Terrace	880,000 r
2-story row houses with 82 dwelling units.	
b. Lahaina Low-Income Housing.....	295,000 r
9 duplexes with 18 dwelling units.	

8. County Projects Located in the County of Maui

(To be expended by the County of Maui)

Schools

a. New Molokai Elementary School, Kualapuu.....	327,700 b
Additional funds to complete construction of new school provided by Act 201, regular session of 1963, including equipment.	
b. New Kahului School, Sixth Increment.....	275,000 b
Additional funds to complete construction of new school provided by Act 201, regular session of 1963, including equipment.	
c. Kaunakakai School	155,000 b
Construction of four classroom buildings and toilet, and equipment.	
d. Lanai High and Elementary School.....	196,000 b
Construction of 5 classroom unit, vocational-agriculture classroom and auto mechanic shed, and equipment.	
e. Lahainaluna High School.....	75,000 b
Plans for and construction of physical-education and two classroom buildings and equipment.	

f.	Wailuku Elementary School.....	33,000 b
	New playground improvements including sanitary facilities and water sprinkler system.	
g.	Maui High School.....	75,000 b
	New water system.	
h.	Iao School	15,000 b
	Plans for 3 classroom buildings and toilet.	
i.	Kahului School	10,000 b
	Construction of warehouse and storeroom.	
Recreational Center		
j.	Maui War Memorial Center.....	100,000 b
	Construction of an Olympic swimming pool.	
k.	Maui War Memorial Center.....	10,000 b
	Master Plan of Maui Memorial Center Complex and Stadium.	
Sewer System		
l.	Kihei Sewer System.....	15,000 b
	Plans	
Water System		
m.	Lower Kula Transmission Line.....	400,000 b
	For incremental development of transmission lines, tanks and other appurtenances. (To be expended by the Board of Water Supply, County of Maui.)	
Hospitals		
n.	Maui Memorial Hospital.....	5,000 b
	Master Plan.	
o.	Kula Sanatorium	20,000 b
	Paint exterior of hospital building.	
p.	Kula Sanatorium	5,000 b
	Re-roof and paint laundry-boiler building.	
Golf Course		
q.	Waiehu Golf Course, Waiehu, Maui.....	250,000 b
	Construction of additional 9 holes, and acquisition of land.	
Bridges		
r.	Honokohau Bridge	95,000 b
	Plans and construction of concrete bridge to replace existing wooden bridge.	
s.	Honokowai Bridge	42,000 b
	Plans and construction to widen existing bridge.	
Other		
t.	Maui Historic Commission.....	40,000 b
	Lahaina restoration, continuing project.	
u.	Maui Beautification Committee.....	5,000 b
	To prepare and implement Maui Beautification plan.	

D. PROJECTS LOCATED IN THE COUNTY OF HAWAII

1.	Department of Land and Natural Resources	
	(To be expended by the Board of Land and Natural Resources)	
Land Development		
a.	Waiakea Camp 2, Hawaii.....	49,000 s
	Planning and development of a residential subdivision.	
b.	Lalamilo Farm, 2nd Increment, Hawaii.....	32,000 s
	Lalamilo Farm Lots, Hawaii—Continuing program of farm lot development at Lalamilo; development of roads, domestic and irrigation water and utilities.	
c.	Hapuna Beach, Hawaii.....	27,000 s
	Planning for the development of houselots and resort sites on State lands in Hapuna, South Kohala.	

d. Volcano Farm Lots, Hawaii.....	100,000	s
Development of farm subdivision to be added to the present Volcano Farm Lot subdivision; development of roads and power lines.		
e. Waimea View Lots Residential Development, Hawaii....	10,000	s
Planning of a residential subdivision in Kamuela, Waimea.		
f. Pasture, Agriculture Land, and Parks Development, Hamakua	148,695	s
To develop Agricultural Lands in the Hamakua area by construction of roads, trails, fences and utilities, including clearing of undesirable plant growth—provided that the Department, shall employ temporary personnel, who shall be exempt from the provisions of Chapters 3 and 4, RLH 1955, as amended. The Department shall work in close consultation with the Superintendent of the University Experiment Station, Hilo Branch on this project, the Department may enter into contracts for the necessary equipment and supplies to be used in the project by public bid.		
g. Kingsley Road, Kona.....	13,000	s
Repair and resurface state controlled road used for both access to the Kingsley farming area and state forest reserve.		
h. University Heights House Lots, Hawaii.....	100,000	s
Development of roads, water and other utilities to open a houselot subdivision in the Waiakea-uka homestead area in Hilo.		
i. Land, Forest, Parks Development, Puna.....	69,290	s
Construction of roads, trails, fences and utilities. In the area of conservation and tree planting, student help be used during summer vacation.		
j. Hilo Industrial Development, Hawaii.....	184,095	s
Supplementary appropriation to Act 30, S.L.H. 1962.		
State Parks		
k. Mauna Kea Park.....	100,000	b
Incremental expansion of basic facilities such as roads, water, electricity, etc. for development of a major State park.		
l. Waioa River Park.....	47,803	b
Incremental expansion of existing facilities on lands essentially surrounding Waiakea Pond and Waioa River.		
m. Akaka Falls	100,000	b
Construction and equipping of cable car, improvements of park and road leading to Akaka Falls from Honomu Village.		
n. Big Island State Park Facilities.....	25,000	b
Water Development		
o. Waiaha-Kalaoa Water Transmission Line.....	50,000	b
Plans and construction for transmission line and other appurtenances along upper belt road Waiaha towards Kalaoa.		
p. Honaunau Water System.....	52,064	b
Extension from Honaunau School to Honaunau village, along Mamalahoa Highway.		
2. Department of Transportation		
(To be expended by the Director, Department of Transportation)		
Airports		
a. General Lyman Field Land Acquisition.....	26,000	b
Acquisition of right-of-way and work towards completion of runway and taxiway. Funds to be supplemented		

by any unexpended balances from appropriation made in Section 1, Item D-3-c, Act 201, S.L.H. 1963.

Harbors

b. Kawaihae Harbor—Improve and Enlarge Harbor as a Federal-Aid Project	150,000 s
	2,290,600 f
c. Kawaihae Improvements	55,000 s
Pave 39,000 sq. ft., provide light at upper mauka small boat harbor and in port area; construct boathouse for pilot boat and toilet facilities.	
d. Puako Ramp	10,000 b
Construction of approach road and small boat launching ramp.	
e. Kona Small Boat Harbor, Kealakehe, Hawaii.....	385,000 b
First increment (60 boat capacity) of a small boat harbor with future capacity for 415 boats. Phase I of 1st increment; construct entrance channel as a State-Federal project.	695,000 f
f. Improve Small Boat Launching Ramp at Kailua, Kona..	4,000 b
g. Laupahoehoe Boat Ramp.....	15,000 b
h. Wailoa River Basin and Estuary Development.....	75,000 b
Sampan and small boat facilities, repairs, improvements and appurtenances.	

Highways

i. Honokaa-Waipio Road—Sec. I.....	133,259 a
	169,000 FAS
Realigning, grading, and drainage of 4.33 miles of two-lane high-type pavement highway from Haina Road intersection to Kapulena.	
j. Volcano Road—Glenwood Section.....	180,000 a
Widen and improve existing road.	150,000 FAP
k. Keaau-Pahoa Road—Section II.....	92,933 a
Construction of 1.0 mile of two-lane highway between end of Project S-231 (1) toward Pahoa.	82,000 FAS
l. Keaau-Pahoa Road Junction.....	60,000 FAS
Supplement to Act 195, S.L.H. 1961 and Act 30, S.L.H. 1962.	
m. Replacement of Kaieie, Hanawi, Kalaoa, and Waiaama Stream Bridges	58,000 s
Plans for the construction of permanent bridges to replace badly deteriorated temporary timber bridges.	47,000 FAP
n. Roadway Improvements and Street Lights at Kanoelehua Street-Kekuanaaoa Street Intersection.....	44,785 s
Improvements of intersection by constructing median and left turn storage on Kanoelehua and installing highway lighting.	
o. Chain of Craters Road.....	55,000 b
Improving existing Kalapana Beach Road between Kaunaloa and Kaimu, provided that any unrequired balance of this appropriation shall be transferred to Pahoa-Kalapana Road.	
p. Kawaihae-Mahukona Road—Section II.....	365,000 b
Grading 3.3 miles of two-lane road, including drainage structures between Kawaihae and Mahukona.	
q. Keaau-Pahoa Road	180,000 a
Plans, R/W acquisition and construction of 4.5 miles of two-lane highway between Keaau School and Project S-231 (1), provided that any unrequired balance of this	475,000 FAS

appropriation shall be transferred to other project to complete state portion of Chain of Craters Road Complex—Puna District.	
r. Kailua-Kawaihae Road—Section I Kailua to Honokahau To complete construction of 3.1 miles of two-lane highway including 2.35 miles from Kailua to Honokahau and .76 mile for the Marina Access Road.	250,000 b
3. Department of Accounting & General Services	
a. State Office Building, Hilo..... Completion of plans and land acquisition for State Office Building including Third Circuit Court in Project "Kaiko-o". Funds to be supplemented by any unexpended balances from appropriation made in section 1. item D-7-d, Act 30, S.L.H. 1962.	100,000 b
b. State Office Building, Kona..... Construct a state office and related non-office facilities for joint occupancy for certain agencies in Kona.	150,802 b
c. Honokaa State Building.....	80,000 b
4. Department of Education	
a. Hawaii Technical School, Electricity and Electronics Building	201,000 b
Construction and equipment and other appurtenances.	
5. University of Hawaii	
Hilo Campus	
a. Multi-purpose auditorium	5,000 b
Supplementary appropriation to amount available under Act 201, S.L.H. 1963 for this purpose.	
b. Classroom improvements and equipment.....	16,000 b
c. Plans and construction of agricultural and other program facilities and clearing and grading of site in the vicinity of the dormitory.....	60,000 b
Extension Service	
d. UH Extension Service Building, Kona.....	7,000 b
Completion of additional office.	
6. Department of Social Services	
Hawaii Housing Authority	
(To be expended by the Hawaii Housing Authority)	
a. Hilo Low-Income Housing.....	312,000 r
20 dwelling units for the elderly.	
b. Hilo Low-Income Housing.....	473,000 r
30 dwelling units.	
7. County Projects Located In the County of Hawaii	
(To be expended by the County of Hawaii)	
School Projects	
a. Waimea School	215,000 b
Plans and construction for completion of the first unit.	
b. Kailua School	35,000 b
Acquisition of right-of-way grading and preparation of new school site.	
c. Waiakea Intermediate School.....	250,000 b
d. Kalanianaole School	65,000 b
Includes plans for gymnasium.	
e. Waiakea-waena School	40,000 b
f. Waiakea High School.....	7,500 b
To supplement prior appropriations for the development of Waiakea School complex.	
g. Haahao School, Alteration and Renovations.....	10,000 b
h. Naalehu School	25,000 b
Conversion of Agriculture Building to Cafeteria.	

i.	Puna District Schools.....	200,000 b
	Keakealani, Kurtistown, Mt. View Elementary & Intermediate, Keaau Elementary & Intermediate, and Pahoa High and Elementary Schools. For essential school facilities, including but not limited to, improvements to existing classrooms buildings, new classrooms, libraries, ground improvements, equipment, band instruments and appurtenances. (To be expended with the approval of the Department of Education, County of Hawaii).	
j.	Konawaena High School.....	225,000 b
	Completion of third phase of secondary school to include specialty building.	
k.	Honokaa School	320,000 b
	Honokaa School complex, equipment and appurtenances. Unrequired balance of this appropriation shall supplement State portion of Honokaa Armory Project in Act 201, S.L.H. 1962.	
l.	Hilo High School Improvements.....	45,000 b
m.	Ernest B. De Silva School, Plans.....	7,500 b
Roads		
n.	Komohana-Puainako	150,000 b
o.	Lanikaula Extension	50,000 b
p.	Piha Homestead Road.....	2,000 b
	For the construction of 2,000 feet of Piha Homestead Road through Lot 9 and 10, Grant 6752, in the vicinity of Piha, Island of Hawaii.	
q.	Laupahoehoe Homestead Road.....	4,000 b
	For the construction of 3,375 feet of Laupahoehoe Homestead Road through Lot 38 and 39, Grant 10738; through Lot 8, Grant 8934; and through Lot 7, Grant 8933, in the vicinity of Laupahoehoe, Island of Hawaii.	
r.	Puna Homestead Road.....	4,000 b
	Repair, construct and pave farm to market road.	
s.	Underpass between Hilo High and Intermediate Schools, Plans	2,500 b
t.	Underpass between Union School and Riverside School Annex, Plans	2,500 b
Water Development		
(To be expended by the Hawaii County Board of Water Supply)		
u.	Kaiwiki Water System.....	200,000 b
v.	Waiakea-uka Water Development.....	100,000 b
w.	Laupahoehoe Water Resource Study and Development...	10,000 b
x.	Hamakua Water System including Kukuihale. (Supplementing prior appropriation).....	140,000 b
Others		
y.	Waipio Lookout	7,674 b
	Improvements of Lookout area.	
z.	Hilo Hospital	50,000 b
aa.	Hawaii County Building.....	400,000 b
	To include adequate space and facilities to house the office of the Board of Water Supply of the County of Hawaii.	

E. PROJECTS LOCATED IN THE COUNTY OF KAUAI

1.	Department of Land and Natural Resources	
	(To be expended by the Board of Land and Natural Resources)	
	Land Development Projects	
a.	Wailua Ilouselots and Resort Area, Kauai.....	80,719 b 429,281 s
	Development of a sewerage system and treatment plant to serve the Wailua area; the installation of utilities and street lights for the Wailua development.	

b.	Weliweli House Lot Development..... To supplement prior appropriation for plans, roads, water and related facilities.	100,000 b
c.	Development Plan for Kapaa..... Development and up-dating of the master plan for the entire Kapaa town complex.	10,000 b
d.	Swimming Areas—Anahola, Poipu and Waipouli Beaches For removing of coral to provide children's swimming area.	15,000 b
e.	Salt Pond Development Project..... Roads, water, sewers, and utilities for development of State lands for resort, business and recreation uses.	175,000 b
Fish and Game		
f.	Restocking of Game Birds and Mammals for establishment of game and hunting, such as deer, pheasant, etc...	5,000 b
State Parks		
g.	Wailua River Park..... To complete the Wailua River marina development, installation of lights in the Lydgate Park area, etc.	200,000 b
h.	Kokee Park	40,000 b
	Increment expansion of basic facilities such as water, electricity, roads, sanitation and site improvements to service additional facilities.	
i.	Polihale Park	20,000 b
	Plans for the development of beach facility, boat launching, picnic area, camp ground with necessary access roads, parking areas, water, etc.	
j.	Koloa State Park..... The restoration of the Old Sugarmill and the construction of a protective enclosure of an old locomotive, and parking area.	10,000 b
k.	South Pacific Pool Improvement, Kilauea..... Improvement of the road and parking area. The Board of Land and Natural Resources may use its present staff, and shall employ temporary personnel who shall be exempt from the provisions of Chapter 3 and 4, Revised Laws of Hawaii 1955, as amended, and who are unemployed and are duly registered as unemployed with the Department of Labor and Industrial Relations, to the maximum practical extent. The Board may enter into contracts for the necessary equipment and supplies to be used in the project.	16,000 b
Forestry		
l.	Forest Development Trails, etc., Kauai..... Development and clearing of trails and the eradication of noxious weeds in infested areas not limited to forest reserves, and the replanting of trees. The Department shall use summer student help and temporary workers.	50,000 b
Water Development Projects		
m.	Lawai to Kalaheo Water System Project..... (To be expended by the Kauai Board of Water Supply) Plans, construction, and land acquisition for water and related facilities from Lawai to Kalaheo.	164,000 b
n.	Kokee Irrigation Project..... Planning and development of a multiple-purpose project which includes an irrigation system, storage, transmission and distribution facilities, hydroelectric power and recreational facilities.	100,000 b
o.	Wainiha and Hanalei Irrigation Water Intakes..... Plans and construction for improvements to water irrigation systems and related costs.	25,000 b

2. Department of Transportation

(To be expended by the Director, Department of Transportation)

Airports

a. Improvements to Lihue Airport.....
 Construction of covered passageways, curbs and adjustment of roads, taxiway to light-plane hangars, and appraisal and legal fees for acquisition of easements.

40,000 s

Highways

b. Kauai Belt Road—Lumahai Bridge and Approaches.....
 Construction of a 600 ft. bridge and 600 feet of approaches across Lumahai River to replace existing County bridge.

c. Lumahai Bridge, Kauai.....
 Repair existing bridge at Lumahai or move Bailey Bridge from Kalihiwai to Lumahai for temporary replacement of existing bridge at Lumahai, and for temporary widening of bridges at Wainiha.

d. Kuamoo Road
 Widening and realigning of existing Kuamoo Road from Kuhio Highway towards upper Poliahu Park.

e. Poipu Road
 Paving first Increment of New Poipu Beach road to Weliweli Tract.

f. Kokee-Waimea Heights Road.....
 Construction of road from Waimea Heights to Kokee along canyon ridge line to existing Kokee road. The Department of Transportation may use its present staff, and shall employ temporary personnel who shall be exempt from the provisions of Chapters 3 and 4, R. L. H. 1955, as amended and who are unemployed, and are duly registered as unemployed with the Department of Labor and Industrial Relations, to the maximum practical extent. The department may enter into contracts for the necessary supplies to be used in the projects, necessary equipment to be obtained by public bid.

g. Wailua Falls Loop Road, Kauai.....
 To continue construction of road from north fork Wailua River along power line to the Princeville area. The department of Transportation may use its present staff, and shall employ temporary personnel who shall be exempt from the provisions of Chapters 3 and 4, R. L. H. 1955, as amended and who are unemployed, and are duly registered as unemployed with the Department of Labor and Industrial Relations, to the maximum practical extent. The department may enter into contracts for the necessary supplies to be used in the project; necessary equipment to be obtained by public bid.

h. Hanapepe Drainage Project, Kauai.....
 Construct drainage facilities for Moi Road in the vicinity of Kaumualii Highway.

13,000 a

22,000 FAS

50,000 b

57,000 b

51,419 s

100,000 b

50,000 b

50,000 b

50,000 b

HARBORS

i. Kukuiula Small Boat Harbor.....
 Construction of Restroom Facilities and launching ramps.

j. Port Allen Small Boat Harbor Development.....
 Repairs to breakwater, extension of road, catwalk, mooring facilities and other improvements.

k. Kikiaola Small Boat Harbor Development.....

10,000 b

90,000 b

12,495 b

1.	Hanalei Small Boat Harbor.....	25,000 b
	Dredge channel, construct bulkheads. To supplement appropriation in Act 201, S. L. H. 1963.	
3.	Department of Hawaiian Homes	
a.	Hawaiian Homes	20,000 b
	(To be expended by the Hawaiian Homes Director)	
	Construction of additional new homes at Anahola and Kekaha, Kauai including furniture and fixtures.	
4.	Department of Education	
	Special and Technical Schools	
a.	Kauai Technical School, Restrooms and Office and Additional Classrooms	42,000 b
	Construction extension to existing administration building.	
b.	Kauai Technical School, Storage Facilities.....	34,000 b
	Construct extensions to machine shop, carpenter shop, welding shop, and paint shop. For training purposes, notwithstanding any laws to the contrary, said construction shall be done by staff, and students of Kauai Technical School.	
5.	Department of Health	
a.	Samuel Mahelona Memorial Hospital.....	49,000 b
	(To be expended by the Director of the hospital.)	
	Supplement to Act 30, S. L. H. 1962, for construction of maintenance shop building and re-roofing of hospital building.	
6.	Department of Social Services	
	Hawaii Housing Authority	
a.	Eleele Low-Income Housing.....	400,000 r
	24 dwelling units for families of low income.	
b.	Koloa Low-Income Housing.....	158,000 r
	10 dwelling units for families of low income.	
c.	Waimea Low-Income Housing.....	330,000 r
	16 dwelling units for families of low income.	
d.	Kalaheo Low-Income Housing.....	119,000 r
	8 dwelling units for families of low income.	
e.	Lihue Low-Income Housing.....	750,000 r
	46 dwelling units for families of low income.	
f.	Kapaa Low-Income Housing.....	508,000 r
	36 dwelling units for families of low income.	
7.	Department of Accounting and General Services	
a.	State Office Building, Lihue.....	20,000 b
	Final plans for construction of a building for joint occupancy by certain State Agencies in Lihue.	
8.	County Projects Located in the County of Kauai	
	(To be expended by the County of Kauai; unless otherwise directed.)	
	Schools	
a.	Kapaa High School.....	172,509 b
	Construction of Administration Building, including Business Education Classrooms and Furniture, equipment and supplies.	
b.	Kapaa Elementary School.....	253,805 b
	Construction of classroom building, including restrooms and furniture, equipment, and supplies.	
c.	Kauai High School.....	38,000 b
	Plans for building construction.	
d.	Waimea High and Elementary School.....	322,412 b
	Construction of Cafetorium Building, including furniture, equipment, and supplies.	
e.	Wilcox Elementary School, Custodial Building.....	3,200 b

Others

f.	Kauai Veterans Memorial Hospital.....	15,000 b
	(To be expended by the Directors of the hospital.)	
	For roof repairs, parking, ambulance ramps, and other improvements.	
g.	Hanapepe Valley Garden.....	10,000 b
	Development and creation of a botanical garden.	
h.	Hanapepe Stadium	50,000 b
	Supplement to Act 201, S. L. H. 1963, funds for the construction of enclosed stadium and related facilities, Hanapepe.	
i.	Kauai County Civil Defense.....	10,000 b
	(To be expended by the Administrator of Kauai County Civil Defense.)	
	For the purchase of C. D. areas civilian Band and Races radio, and other civil defense equipment.	
j.	Sewage Treatment Works Construction Grant.....	100,000 b
	To defray portion of the cost of constructing sewage treatment plants, interceptor, outfall, and related facilities, Kauai.	
k.	Recreational Facilities, Lihue, Kauai.....	10,000 b
	Plans for recreational and related facilities.	

SECTION 2. The director of the designated expending agency is authorized to delegate to the departments and counties the planning and construction of projects under Section 1 when it is determined by him that it is more advantageous to do so.

SECTION 3. The appropriations and authorizations in Section 1 include land purchase, plans, site preparation, improvements to land, construction, and necessary equipment.

SECTION 4. All general obligation bond funds used for any federal aid highway project, land development project or airport project shall have the bond principal and interest reimbursed from the Highway Special Fund, the Land Revolving Fund, or the Airport Special Fund, respectively. All general obligation bond funds used for the development of University of Hawaii lands on Sand Island shall have the principal and interest reimbursed from the income derived from Sand Island by the University of Hawaii. Bonds issued for irrigation projects shall be reimbursed, as provided by Section 86-21 of the Revised Laws of Hawaii 1955, as amended.

SECTION 5. The Department of Transportation is authorized to issue harbor revenue bonds for harbor revenue bond financed projects authorized by this Act, pursuant to provisions of Part III, Chapter 137, RLH 1955, as amended. The expenses of the issuance of such harbor revenue bonds and the principal and interest on such bonds sold shall be paid from harbor special fund.

SECTION 6. The Governor, upon recommendation of the Director of the Department of Planning and Economic Development and the Director of the Department of Budget and Finance, shall determine when the authorized projects shall be initiated, taking into consideration the factors of public need, general financial condition of the state general fund and bond fund, and the general economic conditions. The Governor shall have authority to defer projects for reconsideration by the ensuing legislature whenever it is determined (1) that the amount appropriated is insufficient to accomplish the purpose for which the appropriation is

made, and (2) that the fiscal condition does not warrant expenditure of the appropriated funds.

SECTION 7. In case the amount specified in any item in Section 1 shall not be wholly required to complete the work of such item or after it is definitely found by the expending officer that not more than a specified amount will be required to complete said work, such unrequired amounts may be expended for any other item in the same county in Section 1 with the approval of the Governor, upon recommendations of the Director of the Department of Planning and Economic Development and the Director of the Department of Budget and Finance; provided, that in the case of special funds, the funds may be only transferred to other special fund projects in accordance with the laws or covenants applicable thereto.

SECTION 8. The purchase of land and the construction of buildings by State agencies shall be subject to the approval of the Governor upon recommendation of the Director of Planning and Economic Development as to what lands shall be utilized or purchased, and as to use and exterior architectural design of the authorized structure, unless otherwise specified.

SECTION 9. In the event that no funds are allotted by the Governor for any project in Section 1 during the annual period ending June 30, 1965, appropriations for such projects shall lapse as of June 30, 1965. Unallotted balances of appropriations shall likewise lapse as of June 30, 1965. Authorizations to issue general obligation bonds for projects financed from general obligation bonds shall lapse as of June 30, 1965, for projects which have not received an allotment or which have an unallotted balance. Authorizations to issue Harbors revenue bonds for projects financed from Harbors revenue bond funds shall lapse as of June 30, 1965, for projects which have not received an allotment or which have an unallotted balance. The above lapsing provisions shall apply to all projects unless otherwise specified in the subsection.

SECTION 10. Where the Governor or any agency of any government unit is able to secure federal funds made available under any Act of Congress, to be expended in connection with or for the planning and/or construction of any of the projects or works authorized by this Act, the Governor or agency shall have the power to enter into such undertaking with the proper offices or agencies of the Federal government.

SECTION 11. All school buildings erected and all land purchase for school purposes under any item in this Act shall be subject to the approval of the Department of Education as to location of the land purchased and the size, arrangement, dimensions and lighting of rooms, and sanitary facilities for the buildings erected.

SECTION 12. The Hawaii Housing Authority is hereby authorized to issue revenue bonds not in excess of \$9,366,000 for the projects presented in the Executive Budget for the Fiscal Year 1965, Volume II.

SECTION 13. If any portion of this Act or its application to any person or circumstance is held to be invalid for any reason, then the legislature hereby declares that the remainder of the Act and each and every other provision thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason,

the remaining portion shall be independent of the invalid portion and such remaining portion shall be expended to fulfill the objective of such appropriation to the extent possible.

SECTION 14. This Act shall, upon its passage by a two-thirds vote of all the members to which each house of the legislature is entitled, and when approved in the manner provided by the Constitution of the State, take effect upon approval with respect to Section 1, Item B-2-e, and on July 1, 1964, with respect to all other items.

(Approved May 1, 1964.) **S.B. 2.**

ACT 53

A Bill for an Act Relating to Appeals of Medical Board Decision of Retirement System of the State of Hawaii.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of facts constituting such urgency:

Questionable decisions of the medical board of the Employees' Retirement System of the State of Hawaii are not subject to appeal procedure. As a result inequities exist. It is in the public interest that this problem be immediately resolved in order to maintain the high efficiency and morale of public employees participating in the Retirement System.

SECTION 2. Amend Chapter 6 by the following section to be appropriately numbered and made a part of Chapter 6 to read as follows:

“Section Any other provision herein to the contrary notwithstanding, an employee who is not satisfied with the decision of the medical board of the Employees' Retirement System of the State of Hawaii may appeal such decision to the board of trustees, provided, that such appeal is filed with the board of trustees within 60 days after receiving a decision from the medical board. The board of trustees, after hearing said appeal, is authorized to appoint an independent review board of licensed physicians to review said matter and the decision of the medical review board shall be final and binding. The right of appeal to the board of trustees shall apply to all decisions and recommendations which the medical board is authorized to make under the Revised Laws of Hawaii 1955, as amended.”

SECTION 3. This Act shall take effect upon its approval.

(Approved May 2, 1964.) **S.B. 73.**

ACT 54

A Bill for an Act to Provide a Differential to Public Officers and Employees Required to Perform Hazardous Fire-Fighting Duties in Addition to Their Regular Work Assignments.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Purpose. Section 11 of Article III of the Constitution of the State of Hawaii provides for the consideration and enactment

in a budget session of all urgency measures deemed necessary in the public interest. Said section 11 further provides that no urgency measure shall be considered unless a statement of facts constituting such urgency shall be set forth in a section thereof and until such section shall have been first approved by each house. Pursuant to said section 11 of Article III of the Constitution of the State of Hawaii, this Act is hereby declared to be an urgency measure deemed necessary in the public interest.

The following is a statement of facts constituting such urgency:

At neighbor island airports, employees of private airlines are trained to perform emergency fire and crash duties at the airport. These airline employees are trained by State workers and are paid for their training and emergency work by the State.

The State employees who train these private workers and supervise their emergency work under difficult conditions do not receive any differential for this hazardous work, which is in addition to their regular work assignments.

It is in the public interest to provide a reasonable differential to these State workers for these additional hazardous duties, to reward them for their interest in this work and to encourage them to continue to use initiative and daring in carrying out these emergency fire and crash duties.

SECTION 2. Any employee of the airports division of the Department of Transportation who is assigned to perform fire or crash duties in addition to his regular assignment shall receive a monthly differential of \$25.00 per month. This differential shall be paid to all employees who are trained for fire and crash duties and who are expected to stand-by and participate in the event of any emergency.

SECTION 3. This differential shall be paid out of the special funds of the airport division of the Department of Transportation.

SECTION 4. This Act shall take effect on July 1, 1964.

(Approved May 2, 1964.) **S.B. 164.**

ACT 55

A Bill for an Act Amending Part III of Chapter 93, Revised Laws of Hawaii 1955, as Amended, Relating to Contributions and Coverage Under the Hawaii Employment Security Law.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of Section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Although benefits under the Hawaii Employment Security Law have been raised on several occasions since 1955, the rates at which contributions to the unemployment compensation fund are to be made have not been amended during this period. This has resulted in a depletion of the unemployment compensation fund to a level where there could be a precipitous increase in contribution rates under the law. In order to prevent this precipitous increase in contribution rates and to

stabilize the fund, amendments to Part III of the Employment Security Law relating to contributions and coverage are necessary.

This Legislature deems it urgent that amendments to Part III of the Hawaii Employment Security Law be approved to insure a sound employment security program.

SECTION 2. Section 93-60(b) of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read:

“(b) For the purpose of this part the term ‘wages’ does not include remuneration paid with respect to employment to an individual by an employer during any calendar year which exceeds ninety per cent (90%) of the ‘state average annual wages,’ rounded out to the nearest hundred dollars. ‘State average annual wages’ means the amount determined by dividing the total remuneration paid with respect to all employment during the first four of the six calendar quarters immediately preceding the calendar year for which rates of contribution are determined by the average monthly number of individuals performing services in employment during the same four calendar quarters as reported to the director in quarterly contribution reports and other reports as prescribed by the director. If an employer during any calendar year acquires substantially all the property used in a trade or business, or in a separate unit of a trade or business, of another employer, and after the acquisition employs an individual who prior to the acquisition was employed by such predecessor, then for the purpose of determining whether such remuneration in excess of ninety per cent (90%) of the ‘state average annual wages’, rounded out to the nearest hundred dollars, has been paid to such individual, remuneration paid to such individual by such predecessor during such calendar year shall be considered as having been paid by such successor employer. For the purpose of this paragraph, the term ‘employment’ includes service constituting employment under any employment security law of another state or of the federal government.”

SECTION 3. Section 93-61(a) of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by deleting therefrom the figure “2.7” and substituting therefor, the figure “3.0”.

SECTION 4. Section 93-62(d) of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read:

“(d) ‘Contributions’ includes the money payments required by this chapter to be made into the fund by any employing unit on account of having individuals in its employ. ‘Contributions’ does not include penalties or interest for delinquency in payments.”

SECTION 5. Section 93-63 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read:

“Credits for Contributions. The director shall maintain a separate account for each employer and shall credit his account with all the contributions paid by him as of the date of payment. Nothing in this chapter shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by the employer into the fund.”

SECTION 6. Section 93-65(a) of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by deleting therefrom the figure “2.7” and substituting therefor the figure “3.0”.

SECTION 7. Section 93-65(c) of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read:

“(c) No employer's rate for the calendar year 1965 and for any calendar year thereafter, shall be less than the standard rate unless the total assets of the fund as of the end of the previous calendar year were at least \$13,000,000; provided that each employer's rate for the calendar year 1965 and for any calendar year thereafter, as determined by other applicable provisions of this part shall be increased by .5 percent, if the total assets of the fund as of the end of the previous calendar year were at least \$13,000,000 but less than \$15,000,000, but in no event shall an employer's rate exceed the standard rate; provided further that in the event the Bureau of Employment Security of the United States Department of Labor shall determine that the foregoing is not in conformity with the federal Unemployment Tax Act relating to credits, then the figure '\$13,000,000' where it first appears shall be deleted and the figure '\$15,000,000' shall be substituted therefor and the preceding proviso shall be deleted in its entirety and a period shall be substituted for the semicolon after the revised figure of '\$15,000,000'. Any amount credited to this state under Section 903 of the Social Security Act, as amended, which has been appropriated for expenses of administration whether or not withdrawn from the trust fund shall be excluded from the fund for the purposes of this subsection. No employer's rate shall be reduced in any amount which is not allowable as an additional credit, against the tax levied by the federal Unemployment Tax Act pursuant to the provisions of Section 3302(b) of the federal Internal Revenue Code or pursuant to the provisions of any other federal statute, successor to Section 3302(b), which provides for the additional credit now provided for in Section 3302(b).”

SECTION 8. Section 93-65(e) of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by deleting therefrom the figure “2.7” and substituting therefor the figure “3.0”.

SECTION 9. Section 93-66 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read:

“Relation of credits to charges. Variations from the standard rate of contributions shall be determined in accordance with the following requirements:

“For the calendar year 1965, and for each calendar year thereafter, if the total of all an employer's contributions paid for all periods prior to January 1 of the calendar year, including those paid on or before January 31 of the calendar year with respect to wages paid by him prior to January 1 of the calendar year, and also including any voluntary contributions formerly allowed under Section 93-62, exceeds the total benefits chargeable to his account for all periods prior to January 1 of the calendar year, his contribution rate for the calendar year shall be that provided in Section 93-67.”

SECTION 10. Section 93-67 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read:

“Rates based on experience. Subject to the requirements of Sections 93-62 to 93-66 and 93-68, an employer's rate shall be:

“(a) 3.0 per cent if such excess is less than 5.0 per cent of his average annual payroll.

“(b) 2.8 per cent if such excess equals or exceeds 5.0 per cent but is less than 5.5 per cent of his average annual payroll.

“(c) 2.6 per cent if such excess equals or exceeds 5.5 per cent but is less than 6.0 per cent of his average annual payroll.

“(d) 2.4 per cent if such excess equals or exceeds 6.0 per cent but is less than 6.5 per cent of his average annual payroll.

“(e) 2.2 per cent if such excess equals or exceeds 6.5 per cent but is less than 7.0 per cent of his average annual payroll.

“(f) 2.0 per cent if such excess equals or exceeds 7.0 per cent but is less than 7.5 per cent of his average annual payroll.

“(g) 1.8 per cent if such excess equals or exceeds 7.5 per cent but is less than 8.0 per cent of his average annual payroll.

“(h) 1.6 per cent if such excess equals or exceeds 8.0 per cent but is less than 8.5 per cent of his average annual payroll.

“(i) 1.4 per cent if such excess equals or exceeds 8.5 per cent but is less than 9.0 per cent of his average annual payroll.

“(j) 1.2 per cent if such excess equals or exceeds 9.0 per cent but is less than 9.5 per cent of his average annual payroll.

“(k) 1.0 per cent if such excess equals or exceeds 9.5 per cent but is less than 10.0 per cent of his average annual payroll.

“(l) .8 per cent if such excess equals or exceeds 10 per cent but is less than 10.25 per cent of his average annual payroll.

“(m) .7 per cent if such excess equals or exceeds 10.25 per cent of his average annual payroll.

SECTION 11. Act 168, Session Laws of Hawaii 1963, is hereby amended as follows:

(a) By deleting therefrom the phrase “twelve-month period July 1, 1963 to June 30, 1964” wherever it appears and substituting therefor the phrase “period July 1, 1963 to December 31, 1964.”

(b) By amending the first sentence of the second paragraph of Section 1 thereof to read:

“(a) Contributions with respect to wages for employment shall accrue and become payable by each employer subject to this chapter for the period July 1, 1963 to December 31, 1963, for the period January 1, 1964 to June 30, 1964 and for the period July 1, 1964 to December 31, 1964.”

(c) By amending the first sentence of the second paragraph of Section 5 thereof to read:

“Contribution rates, how determined. The Director shall for each of the six-month periods beginning July 1, 1963, January 1, 1964 and July 1, 1964 classify employers in accordance with their actual experience in the payment of contributions and with respect to benefits charged against their accounts with a view to fixing such contribution rates as will reflect such experience.”

(d) By amending the fourth paragraph of Section 6 to read:

“For the period January 1, 1964 to June 30, 1964 and for the period July 1, 1964 to December 31, 1964 if the total of an employer's contributions credited to his account as provided by section 93-63 and this Act for all periods prior to January 1, 1964, including those paid on or before January 31, 1964 with respect to wages paid by him prior to January 1, 1964, and also including any money payments in excess of the require-

ments of this chapter made voluntarily by him prior to April 30, 1963, exceeds the total benefits chargeable to this account for all periods prior to January 1, 1964, his contribution rate shall be as provided by section 7 of this Act."

(e) By deleting the words and figures "and for the six-month period January 1, 1964 to June 30, 1964" appearing in the second paragraph of Section 7 thereof and substituting therefor the words and figures "for the six-month period January 1, 1964 to June 30, 1964 and for the six-month period July 1, 1964 to December 31, 1964."

(f) By amending the clause designated (a) in Section 7 thereof to read:

"(a) 3.0 per cent if such excess is less than 5.5 per cent of his average annual payroll or if he has no such excess."

(g) By deleting the word and figure "June 30," appearing in Section 8 thereof and substituting therefor the word and figure "December 31".

SECTION 12. The provisions of Sections 2 through 10 of this Act shall take effect on January 1, 1965. All other parts of this Act shall take effect upon its approval.

(Approved May 2, 1964.) **S.B. 250.**

ACT 56

A Bill for an Act Relating to Employment Relations and Amending Section 90-3, Revised Laws of Hawaii 1955.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 11 of Article III of the State Constitution provides for the consideration and enactment in a budget session of all urgency measures deemed necessary in the public interest. Said section 11 further provides that no urgency measure shall be considered unless a statement of facts constituting such urgency shall be set forth in a section thereof and until such section shall have been first approved by each house. Pursuant to said section 11 of Article III of the State Constitution, this Act is hereby declared to be an urgency measure deemed necessary in the public interest. The following is a statement of facts constituting such urgency:

The Hawaii employment relations board does not presently have a full-time hearings officer or counsel. The lack of such a full-time employee has resulted in long delays in processing of both representation cases and unfair labor practice charges before the board. These long delays have seriously affected the effectiveness of the Hawaii employment relations board in furthering stable labor-management relations. The board and its employees have also been subjected to criticism because of these delays. In order to remedy this situation and to provide for the effective enforcement of the Hawaii employment relations Act this legislature deems it necessary and urgent to amend section 90-3 of the Revised Laws of Hawaii in order to assure that the board will have a full-time hearings officer, counsel.

SECTION 2. Section 90-3, Revised Laws of Hawaii is hereby

amended by amending the second and third paragraphs of said section to read as follows:

"The board shall employ a qualified attorney who is licensed to practice in all the courts of the state to serve as its hearings officer-counsel at its pleasure and shall not be subject to the civil service laws of the state. It shall also fix the compensation of said employee. Said employee shall devote his entire time to the duties of hearings officer-counsel and shall not be actively engaged or employed in the practice of law or other work in conflict with his official duties as hearings officer-counsel. The board may employ, promote and remove examiners, a secretary, clerks, stenographers, and other assistants under such existing civil service and classification laws as may be applicable; provided, in the event the board determines that the performance of its functions does not require the services of a person in any of the positions, other than that of the hearings officer-counsel, on a permanent basis, then the board may employ and fix the compensation of a person to fill any of the positions from time to time on either a part-time or temporary basis without regard to chapters 3 and 4.

"The board may also in conformity with section 9-2 employ and remove other counsel who are licensed to practice in all the courts of the state, and fix their compensation. Such counsel may, at the direction of the board, appear for the* represent the board in any case in court."

SECTION 3. This Act shall take effect upon its approval.

(Approved May 2, 1964.) **S.B. 255.**

ACT 57

A Bill for an Act to Amend Act 30 of the Session Laws of Hawaii 1962 and Act 201, Session Laws of Hawaii 1963 Relating to Appropriations for Public Improvements.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. The unrequired balance of \$72,200 in Item C-2-d, section 1, Act 30, Session Laws of Hawaii 1962, "Honokawai Park, Maui, Land Acquisition for State Park" and the unallotted balance of \$19,577.74 in Item C-1-c, section 1, Act 201, Session Laws of Hawaii 1963, "Kau-manahina (sic) Park, Construction of Shelter Cabins" shall be used to develop a State Park at Waianapanapa Caves, Maui. The funds are to be used, to include but not limited to, for the following purposes; to acquire land if necessary and to plan and construct necessary roads, parking, landscaping, structures and sanitary facilities and the installation of utilities.

SECTION 2. Appropriate accommodations, facilities and services for public use and enjoyment are to be undertaken by concession agreement, if at all possible, in accordance with the intent of Act 163, Session Laws of Hawaii 1963, the State Resort Facility Act.

SECTION 3. The unexpended balance of \$40,000 in Item D-9-i, section 1, Act 30, Session Laws of Hawaii 1962, "Road to connect Nalani

* So in original; probably should read "and".

Street to Ainalako Road, Construct road over State property, abutting properties bearing Tax Key numbers 2-4-04-85, 2-4-04-86 and 2-4-04-87", shall be used to construct a road to connect Laula Street to Ainalako Road, over State property, abutting properties bearing Tax Key numbers 2-4-04-85, 2-4-04-86 and 2-4-04-87.

SECTION 4. This Act shall take effect upon its approval.

(Approved May 2, 1964.) **S.B. 284.**

ACT 58

A Bill for an Act Relating to Industrial Development Bonds.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

The State of Hawaii suffers from areas of chronic unemployment. Furthermore, the State is committed to a policy of aggressive development of the industrial base of the State. In order that local governments may exercise initiative in industrial development and may help themselves alleviate their unemployment problems, it is urgent to authorize them to issue industrial development bonds, while at the same time protecting the State against potential abuses from local issuance of industrial development bonds.

SECTION 2. The Revised Laws of Hawaii 1955, as amended, are hereby amended by adding thereto a new chapter to be appropriately designated and to read as follows:

"CHAPTER INDUSTRIAL DEVELOPMENT BONDS

Sec.-1. Purpose. The purpose of this Act is to authorize the issuance of industrial development bonds by political subdivisions of the State, to provide technical assistance to political subdivisions which choose to issue such bonds, and to ensure that such issuance of industrial development bonds is placed under proper safeguards so that the fiscal integrity of the State and its political subdivisions is preserved, and so that the issuance of industrial development bonds contributes to the orderly industrial development of the State.

Sec.-2. Definitions. As used in this Act:

(a) "Industrial development bond" means any general obligation or revenue bond issued by any political subdivision of the State for the purpose of financing the purchase or lease of land; the purchase or construction, including reconstruction, improvement, expansion, extension and enlargement, of buildings and appurtenances; and the purchase and installation of machinery, equipment or fixtures, when such purchases or leases are made primarily for sale or continuing lease to a private individual, partnership or corporation for use in connection with the operation of an industrial enterprise;

(b) "Political subdivision" means a county or other political sub-

division created by the legislature pursuant to Article VII, section 1, of the Constitution of the State of Hawaii;

(c) "Governing body" means the body, council or board charged with exercising the legislative authority of a political subdivision of the State; and

(d) "Department" means the department of planning and economic development.

Sec.-3. Department authority. (a) The department may employ personnel necessary to carry out the provisions of this Act. The department is empowered to issue rules and regulations in accordance with chapter 6C and to require information necessary for the administration of this Act.

(b) All departments, divisions, boards, bureaus, commissions or other agencies of the State shall provide such assistance and information as the department may require to enable it to carry out its duties under this Act.

Sec.-4. Certificate of convenience and necessity. No political subdivision may issue industrial development bonds without first having been issued a certificate of convenience and necessity therefor. Such certificate shall be issued by the department upon a petition of the governing body of the political subdivision proposing to issue industrial development bonds upon the department finding:

(a) That the political subdivision has a contract, approved by its governing body, with an individual, partnership or corporation to lease the property to be acquired with the proceeds of the industrial development bonds for occupancy and use in connection with the conduct of an industrial enterprise for a period of years, and for the lessee to pay an annual rental adequate to meet interest and principal payments falling due during the term of the lease;

(b) That the lessee of the property is a responsible party;

(c) That the contract for lease of the property provides for:

(1) The reasonable maintenance, less normal wear and tear, of the property by the lessee;

(2) Insurance to be carried on the property and the use and disposition of insurance moneys; and

(3) The rights of the political subdivision and the lessee respecting the disposition of the property financed by the proposed industrial development bonds upon retirement of the bonds or termination of the contract by expiration or failure to comply with any of the provisions thereof;

(d) In addition to the above, the contract may provide for the rights of the bondholders; the care and disposition of rental receipts; and such other safeguards as are deemed to be necessary by the department;

(e) That opportunities for employment are inadequate in the area from which the proposed industrial plan would reasonably draw its labor force and that there exists in that area a condition of substantial and persistent unemployment or underemployment;

(f) That the proposed project will provide employment having a reasonable relationship to the volume of the bonds issued as compared to investment per employee of comparable industrial facilities;

(g) That financing by banks, other financial institutions or other parties, of the property required by the lessee is not readily available to lessee on ordinary commercial terms in adequate amounts either on the local or the national market;

(h) That no portion of the proposed industrial development bond issues will be purchased by the lessee or any affiliate or subsidiary of the lessee at the time of the initial marketing;

(i) That the facility offered the lessee is intended to accommodate expansion of an enterprise located elsewhere or a new enterprise and not primarily the relocation of an existing facility;

(j) That adequate provision is being made to meet any increased demand upon community public facilities that might result from the proposed project; and

(k) That the issuance of the proposed bonds and the operation of the enterprise of the lessee will not disrupt the fiscal stability of the issuing political subdivision in the event it should become necessary for it to assume responsibility for payment of the interest and principal of the proposed development bonds.

Sec.-5. Procedure. (a) Within thirty days after a political subdivision files a petition, completed in accordance with the rules and regulations authorized by section 3 of this Act, the department shall upon due notice hold a hearing upon the petition. The department shall reasonably expedite any such hearing and shall advise the petitioning political subdivision of its decision within thirty days of the adjournment of a hearing. If the department approves the petition, a certificate of convenience and necessity shall be issued forthwith. Failure of the department to advise the petitioning political subdivision of its decision within thirty days of the conclusion of the hearing shall constitute approval of such petition, and the political subdivision shall be entitled to receive such certificate. Decisions of the department shall be reviewable as provided by chapter 6C of the Revised Laws of Hawaii 1955, as amended.

(b) A certificate of convenience and necessity issued as provided by this Act shall expire twelve months from the date of its issuance, provided that upon written application by the political subdivision to the department, the department in its discretion may extend the expiration date of such certificate.

Sec.-6. Authorization for issuance of bonds. A political subdivision which holds a certificate of convenience and necessity issued and in force pursuant to this Act may issue local government general obligation or revenue bonds, subject to the limitations and procedures of this Act, of the Constitution of the State of Hawaii, and of the applicable provisions of chapter 139 and chapter 140, Revised Laws of Hawaii 1955, as amended, and of other applicable laws.

Sec.-7. Annual report. The department shall make an annual report to the governor and the legislature, including recommendations to further the purposes of this Act.

Sec.-8. Provisions of chapter controlling. Insofar as the provisions of this chapter are inconsistent with the provisions of any law or charter, the provisions of this chapter shall be controlling. The powers

conferred by this chapter shall be in addition and supplemental to the powers conferred by any other law or charter.

Sec.-9. Severability. If any section, subsection, sentence, clause or phrase of this Act is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have approved this Act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 2, 1964.) **S.B. 288.**

ACT 59

A Bill for an Act Amending Section 5-8, Revised Laws of Hawaii 1955, Relating to Public Employment.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 11 of Article III of the State constitution provides for the consideration and enactment in a budget session of all urgency measures deemed necessary in the public interest. Said section 11 further provides that no urgency measure shall be considered unless a statement of facts constituting such urgency shall be set forth in a section thereof and until such section shall have been first approved by each house. Pursuant to said Section 11 of Article III of the state constitution, this act is hereby declared to be an urgency measure deemed necessary in the public interest. The following is a statement of facts constituting such urgency:

There have been several instances recently where government employees, including employees of the Department of Education, have been involved in labor disputes through employment with other employers. The result has been the involvement of the Department of Education and the State in the disputes. This has not been in the best interests of the State government. In the case where school teachers have been involved, the students of the school and their parents were also affected. In order to avoid the recurrence of these incidents, this legislature deems it necessary and urgent to amend Section 5-8 of the Revised Laws of Hawaii 1955.

SECTION 2. Section 5-8, Revised Laws of Hawaii 1955 is hereby amended by adding thereto another subsection to be numbered (c), reading as follows:

“For any government employee to become or remain employed by any other employer who is engaged in a lockout or whose employees are on strike.”

SECTION 3. This Act shall take effect upon its approval.

(Approved May 2, 1964.) **H.B. 373.**

ACT 60

A Bill for an Act Relating to the Compensation of Public Officers and Employees and Amending Act 28, Session Laws of Hawaii 1962, as Amended, and Making an Appropriation.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Act 28, Session Laws of Hawaii 1962, granted all teachers a five per cent pay increase, except for class I and II teachers who were at the maximum salary step under the schedule existing prior to enactment of Act 28. These teachers were granted pay increases of approximately 1.9 per cent and 4.0 per cent, respectively. The obvious inequity of this action has affected adversely the morale of department of education personnel. It is therefore urgent that this inequity be speedily corrected by retroactively increasing the pay raise of each of these classes to the intended five per cent.

SECTION 2. Section 3(b) of Act 28, Session Laws of Hawaii 1962, is hereby amended to read as follows:

"b. Effective September 1, 1962, class I and II teachers who are not receiving differential payments and who will remain at the maximum salary step under the existing schedule on September 1, 1962, shall be granted an increase in compensation of five per cent on their base salaries and shall then be converted into the new salary schedule as set forth in section 4 below; provided that class I and II teachers who qualify for the maximum salary step under the existing schedule on September 1, 1962, shall be placed on the maximum step of the appropriate salary range."

SECTION 3. Item 1(c) of section 4(b) of Act 28, Session Laws of Hawaii 1962, is hereby amended to read as follows:

"1(c) Class I and II teachers whose increases are determined under subsection 3(b), except those excepted therein, shall receive monthly salaries of \$508 and \$525, respectively, for as long as they do not qualify for longevity, and shall begin to qualify for longevity step increases as of September 1, 1962. Upon meeting the qualifications, these class I and II teachers shall proceed to the first longevity step."

SECTION 4. There is hereby appropriated out of the general revenues of the State of Hawaii, not otherwise appropriated, the sum of \$140,500, or so much thereof as may be necessary, for the retroactive compensation due class I and II teachers affected by this Act for the period September 1, 1962 to August 31, 1964.

SECTION 5. There is hereby further appropriated out of the general revenues of the State, not otherwise appropriated, the sum of \$45,800 or so much thereof as may be necessary for compensation due class I and II teachers affected by this Act for the period September 1, 1964 to June 30, 1965.

SECTION 6. This Act shall take effect upon its approval; provided that payments for retroactive compensation shall be made on August 31, 1964.

Approved May 2, 1964.) **H.B. 6.**

ACT 61

A Bill for an Act Relating to the Hawaii Employment Security Law and Amending Chapter 93 of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

The balance in the unemployment compensation fund has decreased rapidly during the past several years; the existing balance is precariously low. It was anticipated last session that as of December 31, 1963 the fund balance would be less than five per cent of the average annual total taxable payroll during the preceding five-year period. When this situation occurred all employers would have been required to contribute 2.7 per cent of their taxable payroll to the unemployment compensation fund. In order to avoid this undesirable eventuality, Act 168, Session Laws of Hawaii 1963, was enacted as a temporary emergency measure. This Act expires June 30, 1964 at which time the 2.7 per cent rate will be automatically imposed on all employers unless this legislature takes necessary action.

One of the major reasons for the temporary nature of Act 168 was to allow sufficient time for the department of labor and industrial relations to examine the many aspects of the employment security laws and their administration, and to formulate comprehensive recommendations for necessary statutory revisions. The necessary review has been completed and the legislature can now act on benefit, financing and administrative provisions taking into account the close interrelationship of these several aspects of the total employment security program.

Act 168 has accomplished its purpose. It will expire shortly. In the absence of legislative action, a return to the critical situation which existed before its passage will occur. It is therefore urgent to amend the existing statutes at this session to insure a sound employment security program.

SECTION 2. Section 93-1 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding a new subsection (s), to read as follows:

“Weeks of employment” means all those weeks within each of which the individual has performed services in employment for one or more employers subject to this chapter or with respect to which he has received remuneration from one or more employers subject to this chapter in the form of vacation, holiday, or sickness pay or similar remuneration.”

SECTION 3. Section 93-26 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by deleting therefrom the fifth paragraph including the table therein.

SECTION 4. Section 93-28(e) of the Revised Laws of Hawaii 1955, is hereby amended to read:

“(e) Wages for insured work; weeks of employment. (1) In the case of an individual who has established a benefit year prior to Janu-

ary 3, 1965, he has during his base period been paid wages for insured work equal to not less than the amount appearing in Column C of the schedule in section 93-21, on the line on which, in column B of the schedule, appears his weekly benefit amount.

"(2) In the case of an individual whose benefit year begins on or after January 3, 1965, he has during his base period had a total of fourteen or more weeks of employment as defined in section 93-1 (s) and has during his base period been paid wages for insured work equal to not less than the amount appearing in column C of the schedule in section 93-21, on the line on which, in column B of the schedule, appears his weekly benefit amount.

"(3) For the purposes of this subsection, wages and weeks of employment shall be counted for benefit purposes with respect to any benefit year only if such benefit year begins subsequent to the dates on which the employing unit by which such wages or other remuneration as provided in section 93-1 (s) were paid has satisfied the conditions of section 93-1 (i) with respect to becoming an employer."

SECTION 5. This Act shall take effect on January 1, 1965.

(Approved May 2, 1964.) **H.B. 10.**

ACT 62

A Bill for an Act Relating to the Employees' Retirement System of the State.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

In order to streamline the administration of the Employees' Retirement System of the State; and, in order to improve the benefits which accrue to the members and their beneficiaries; and, in order to make the language of the retirement laws more meaningful and understandable, certain amendments are deemed to be of urgent importance to the people of this community. In order to carry out the intent and purpose of the aforesaid, it is urgent that corrective legislation be enacted.

SECTION 2. Section 6-36.8 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

"Sec. 6-36.8. Prior service credit while per diem employee. Notwithstanding any other provision of the law to the contrary, employees in per diem positions, employees who formerly filled per diem positions, and former employees who filled per diem positions on or after January 1, 1928, shall be allowed full prior service credit in the employees' retirement system from the date they entered government employment as per diem employees until the date they attain or attained monthly status."

SECTION 3. Section 6-40 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

"Sec. 6-40. Creditable service at retirement. Creditable service at retirement on which the retirement allowance of a member shall be based shall consist of his membership service and his prior service, if any, as provided in this part."

SECTION 4. Section 6-41 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

"Sec. 6-41. Service retirement. Retirement of a member on a service retirement allowance shall be made by the Board as follows:

(a) Any member who has attained the age of fifty-five years or who has twenty-five years of creditable service, may retire upon his written application to the board specifying on what date, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof, he desires to be retired.

(b) Any member who has attained the age of seventy years, shall be retired on the first day of the calendar month next succeeding that in which he has attained such age; provided a member of the legislature may continue or be restored to active membership in the system after the age of seventy years during the period such member is serving in his elective capacity.

(c) Any member who has attained the age of sixty-five may retire and receive a service retirement allowance although he continues to be a member of the legislature.

(d) Notwithstanding any other provision of this section, a member must have five years of creditable service to be eligible for service retirement."

SECTION 5. Section 6-42 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

"Sec. 6-42. Allowance on service retirement.

A. Upon retirement for service a member who has attained age sixty-five shall receive a service retirement allowance as follows:

1. An annuity which shall be the actuarial equivalent of that part of his accumulated contributions which he contributed to purchase an additional annuity pursuant to section 6-84, which amount he may withdraw at the time of his retirement in lieu of such annuity; and

2. A retirement allowance equal to one-sixtieth of the average final compensation of the member multiplied by the total number of years of his creditable service reduced for class A members by one two-hundred-eightieth, or one one-hundred-fortieth if the member elected to reduce his contributions as provided in section 6-83, of the part of his average final compensation not in excess of \$4,200 per annum multiplied by the number of years of his creditable service rendered between December 31, 1955 and January 1, 1965 for which he received compensation covered by social security.

B. If the member has not attained age sixty-five at the time of service retirement, he shall receive the greater of:

1. A retirement allowance computed as though he had attained age sixty-five, reduced in accordance with factors of actuarial equivalence adopted by the board upon the advice of the actuary; or

2. If the member had attained age sixty prior to July 1, 1963:

(a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(b) A pension equal to one one-hundred-fortieth of his average final compensation multiplied by the number of years of his membership service; and if he has prior service certificate in full force and effect, an additional pension which shall be equal to one-seventieth of his average final compensation multiplied by the number of his years of service certified to him on his prior service certificate; provided that if the member is a class A member, such pension payable subsequent to the attainment of age sixty-five shall be reduced by one two-hundred-eightieth, or one one-hundred-fortieth if the member elected to reduce his contributions as provided in section 6-83, of the part of his average final compensation not in excess of \$4,200 per annum multiplied by the number of years of his creditable service between December 31, 1955 and January 1, 1965 for which he received compensation covered by social security.

C. Notwithstanding the foregoing, in the case of a fireman or a policeman, who has attained age sixty or who has attained age fifty-five with twenty-five years of creditable service, the service retirement allowance shall consist of a pension, in addition to the annuity, which shall consist of: (1) one percent of his average final compensation for each of his first twenty-five years of creditable service rendered after June 30, 1957; (2) three-fourths of one per cent of his average final compensation for each of the next ten years of creditable service after June 30, 1957; and (3) an additional pension, which when added to the annuity provided by the contributions made by the member prior to June 30, 1957, will result in a total retirement allowance of two per cent of his average final compensation for each year of creditable service rendered before July 1, 1957 up to a total of twenty-five years, and one and one-half per cent of his average final compensation for each of the next ten years of creditable service before July 1, 1957; provided, however, that if such member retiring under the terms of this section had, at any time subsequent to December 31, 1955, service as a class A member, his pension payable subsequent to the attainment of age sixty-five shall be reduced by one two-hundred-eightieth, or one one-hundred-fortieth if the member elected to reduce his contributions as provided in section 6-83, of the part of his average final compensation not in excess of \$4,200 per annum multiplied by the number of years of his creditable service between December 31, 1955 and January 1, 1965 for which he received compensation covered by social security. If such a member has attained age fifty-five and has less than twenty-five years of credited service, he shall receive a retirement allowance computed as though he had attained age sixty, reduced in accordance with factors of actuarial equivalence adopted by the board upon the advice of the actuary.

D. The service retirement allowance of a member who has attained age sixty and who had had ten years of service credit, including service as a judge or an elective officer rendered after May 27, 1961, shall be computed on the following basis: (a) for each year of creditable service as a judge or an elective officer rendered after the admission of this State into the union, 3.4523 per cent of his average final compensation, in addition to the annuity allocable to the period of such service; and (b) for all other creditable service, on the same basis as if this paragraph had not been enacted, to be computed without reference to the

amounts creditable under (a) hereof. If he is a class A member, the retirement allowance shall be reduced by one two-hundred-eightieth, or one one-hundred-fortieth if the member elected to reduce his contributions as provided in section 6-83, of the part of his average final compensation not in excess of \$4,200 per annum multiplied by the number of years of his creditable service between December 31, 1955 and January 1, 1965 for which he received compensation covered by social security. The allowance shall in no case exceed seventy-five per cent of the average final compensation; if it exceeds such limit, it shall be reduced by first reducing the annuity, and such portion of the accumulated contributions as may be in excess of the requirements of the reduced annuity shall be returned to the member. The allowance shall in no case be less than if this paragraph had not been enacted. If such a member has not attained age sixty, the benefit payable under (a) of this paragraph shall be computed as though he had attained age sixty, reduced in accordance with factors of actuarial equivalence adopted by the board upon the advice of the actuary."

SECTION 6. Chapter 6 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding thereto a new section to read as follows:

"Sec. 6-42.5. Retirement with refund of contributions. Any member who, on or after July 1, 1964, is retired for disability or is retired for service having ten years of creditable service and having attained the age of fifty-five may, at the time of his retirement, elect to receive a lump-sum payment of his accumulated contributions. His retirement allowance shall thereupon be reduced by the actuarial equivalent of such accumulated contributions."

SECTION 7. Section 6-45 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

"Sec. 6-45. Allowance on ordinary disability retirement. Upon retirement for ordinary disability a member shall receive a service retirement allowance if he has attained the age of sixty years, otherwise he shall receive a retirement allowance of twenty-five per cent of his average final compensation plus one per cent of his average final compensation for each full year of creditable service over twenty, except that for each year of creditable service as a judge or an elective officer rendered after the admission of this State into the union, he shall receive a retirement allowance computed as though he were age 60 as provided in section 6-42D, and except that if a member is a Class A member, the retirement allowance shall be reduced by one two-hundred-eightieth, or one one-hundred-fortieth if the member elected to reduce his contributions as provided in section 6-83, of the part of his average final compensation not in excess of \$4,200 per annum multiplied by the number of years of his creditable service between December 31, 1955 and January 1, 1965 for which he received compensation covered by social security."

SECTION 8. Section 6-50 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

"Sec. 6-50. Selection of retirement allowances. Maximum Allowance: Any member may elect to receive his benefit in a retirement allowance payable throughout his life provided that in the event of his

death there shall be paid to his designated beneficiary, otherwise to his estate, the difference between the value of his accumulated contributions at the time of retirement and the retirement allowance payments which he has received.

In lieu of this maximum selection, he may elect to receive the actuarial equivalent of his retirement allowance in a lesser allowance payable throughout life with the provision that:

Option 1. If he died before he has received in payments the present value of his retirement allowance as it was at the time of his retirement, the balance shall be paid to his legal representatives or to such person as he nominates by written designation duly acknowledged and filed with the board. The person designated to receive the balance remaining in the retirement allowance may elect to receive this balance in one of the following ways: (a) lump sum; or (b) a life annuity payable in installments not oftener than once a month unless the payment amounts to less than \$10 a month in which case full settlement shall be made in a lump sum; or (c) cash payment in part, and a reduced annuity as described under (b) above.

Option 2. Upon his death, his retirement allowance shall be continued throughout the life of and be paid to such person as he nominates by written designation duly acknowledged and filed with the board at the time of his retirement.

Option 3. Upon his death, one-half of his retirement allowance shall be continued throughout the life of and be paid to such person as he nominates by written designation duly acknowledged and filed with the board at time of his retirement.

Option 4. Some other benefit or benefits shall be paid either to the member or to such person or persons as he nominates, provided such other benefit or benefits, together with the lesser retirement allowance, shall be certified by the actuary to be of equivalent actuarial value to his retirement allowance and shall be approved by the board.

Any other provision of this section notwithstanding, in the event of the death of a member within one year after the date of retirement, there shall be paid as a death benefit, and in lieu of any payments under an option elected pursuant to this section, such benefits as would be paid if such member had died immediately prior to his retirement, provided that there shall be subtracted from the value of such death benefit such retirement allowance payments as the member shall have received prior to his death, and provided further that if the member received the lump sum payment of his accumulated contributions, such contributions shall not be included in the determination of the value of such death benefit.

Any selection of retirement allowance pursuant to the provisions of this section shall be irrevocable."

SECTION 9. Section 6.71 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

"Sec. 6.71. Actuarial investigations, valuations. At least once in each five-year period, commencing with the year 1929, the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the system and shall make a valuation of the assets and liabilities of the fund of the system

and, taking into account the result of such investigation and valuation, the board shall: (a) adopt for the system such mortality, service and other tables as shall be deemed necessary; and (b) certify the rates of contribution payable by each county and the State, respectively, on account of new entrants at various ages who are employees of such county or the State.

On the basis of such tables as the board shall adopt, the actuary shall make an annual valuation of the assets and liabilities of the funds of the system."

SECTION 10. Section 6-82 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

"Sec. 6-82. Employee contributions. On and after July 1, 1964, each member other than a fireman or policeman shall contribute five per cent of his compensation, and a fireman or policeman shall contribute seven per cent of his compensation.

In addition to the foregoing, all members shall contribute $\frac{1}{2}$ of 1 per cent of compensation to the post retirement fund.

SECTION 11. Section 6-83 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

"Sec. 6-83. Deducting employee contributions from salary. The head of each department of the State and the auditor of each county shall cause to be deducted from the salary of each member on each and every payroll under his jurisdiction for each and every payroll period, the percentage of compensation of each member as provided under section 6-82. The total amount of deductions made from the salaries of employees and a record of the amount deducted from each member's compensation shall be transmitted monthly or at such other times as may be agreed upon by the board. All amounts so deducted shall be paid into the annuity savings fund and shall be credited, together with regular interest thereon, to the individual account of the member from whose compensation each deduction was made."

SECTION 12. Section 6-89 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

"Sec. 6-89. Determination of employer normal and accrued liability contributions.

A. On a basis of regular interest and of such mortality and other tables as are adopted by the Board, the actuary engaged by the Board shall determine the normal cost for the year beginning July 1, 1964, the unfunded accrued liability as of that date, and the accrued liability contribution for the year:

1. The normal cost for the year beginning July 1, 1964, shall be the amount determined by applying the normal contribution rate for the year to the aggregate annual amount of compensation as of March 31, 1964. The normal contribution rate for the year beginning July 1, 1964, shall be the constant percentage of the compensation of the average new entrant, which, if contributed on the basis of his compensation throughout his prospective period of service and added to his prospective contribution, will be sufficient to provide for the payment of any benefits payable on his account.

2. The unfunded accrued liability as of July 1, 1964, shall be determined by subtracting from the present value of future benefits payable

on account of present members and beneficiaries the sum of the present value of future normal costs payable with respect to present members, the present value of future contributions payable by present members, and the applicable assets.

3. The accrued liability contribution for the year beginning July 1, 1964, shall be the level annual payment required to liquidate the unfunded accrued liability over a period of 50 years beginning on that date.

B. The actuary shall, through successive valuations, recalculate the normal cost for each year after June 30, 1965, the unfunded accrued liability as of the beginning of such year, and the accrued liability contribution for the year:

1. The normal cost for each such year shall be the amount determined by applying the normal contribution rate for the year to the aggregate annual amount of compensation as of March 31, of the second preceding year. The normal contribution rate for any year after June 30, 1965, shall be determined by subtracting from the present value of future benefits payable on account of members and beneficiaries as of the beginning of the year the sum of the present value of future contributions payable by such members, the unfunded accrued liability, and the applicable assets, and spreading the remainder over the prospective service of such members as a constant percentage of their future earnable compensation.

2. The unfunded accrued liability as of the beginning of any such year shall be determined by adding to the previous unfunded accrued liability interest for one year and subtracting from the total the sum of any contribution made in the previous year in excess of the normal cost for that year plus interest to the end of the year. The unfunded accrued liability as of the beginning of a year may, at the discretion of the Board, be increased by any additional liability with respect to service rendered in previous years that may have been created since the determination of the unfunded accrued liability as of July 1, 1964.

3. The accrued liability contribution for such year shall be the level annual payment required to liquidate the unfunded accrued liability as of the beginning of the year over the remainder of the period of 50 years which began July 1, 1964.

C. Notwithstanding any other provisions of this chapter to the contrary, the accrued liability on account of Act 175, S. L. 1961 may be liquidated, with the approval of the Board, by crediting thereto the unobligated balance of the reserve for future interest deficits accumulated through appropriations heretofore made by the State and by future earnings on system investments, exclusive of capital gains, in excess of the regular rate until such time as such accrued liability with regular interest has been fully paid.

SECTION 13. Section 6-91 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

“Sec. 6-91. Amount of annual contributions by the State and counties. The contribution payable in each year to the pension accumulation fund by the State and by each county, respectively, shall be determined by allocating the sum of the normal cost and the accrued liability contribution in the same proportion as the aggregate annual amount of

compensation of State and county members as of March 31 of the year preceding the appropriation of said contribution."

SECTION 14. "Sections 6-84, 6-88, 6-90, 6-92 and 6-93 of the Revised Laws of Hawaii 1955, as amended, are fully repealed."

SECTION 15. This Act shall take effect as of July 1, 1964.

(Approved May 2, 1964.) **H.B. 26.**

ACT 63

A Bill for an Act Relating to the Compensation of Police Officers.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

It has been the practice to call many of our police officers to testify in court on his day-off on matters connected with his official duties. It is highly inequitous to force a person to use his day-off in this manner. However, since these calls are necessary for the proper functioning of the courts, it is urgent that this inequity be corrected by the enactment of corrective legislation.

SECTION 2. Chapter 5 of the Revised Laws of Hawaii 1955 is hereby amended by adding thereto a new section to be appropriately numbered and to read as follows:

"Sec. Any police officer who is required to appear in court on his day-off to testify in a matter connected with his official duties shall receive compensation for the time spent in court on such day at the rate of time and one-half."

SECTION 3. This Act shall take effect upon its approval.

(Approved May 2, 1964.) **S.B. 68.**

ACT 64

A Bill for an Act Relating to Medical Care of Pensioners.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of State of Hawaii.

The following is a statement of the facts constituting such urgency:

Pensioners of the State and Counties who are actually and solely dependent upon their pensions for their maintenance and support are in dire need of free medical aid due to the present high cost of necessary medical attention.

SECTION 2. Section 6-4, Revised Laws of Hawaii 1955, is hereby amended to read as follows:

"Section 6-4. Medical aid, etc. when free. Every recipient of any pension payable by the State or by any county or by any other governmental body or agency created by or under the laws of the State who is actually and solely dependent upon his pension for his maintenance and support shall be entitled to free medical treatment from any government physician employed by the State or any county, and to free hospitalization at any county hospital or at a hospital where county patients are treated at county expense in the county wherein he resides."

SECTION 3. This Act shall take effect upon its approval.

(Approved May 2, 1964.) **H.B. 488.**

PROPOSED CONSTITUTIONAL AMENDMENTS H. B. NO. 19

A Bill for an Act Proposing an Amendment to Article IV, Section 2, of the Constitution of the State of Hawaii Relating to the Election of the Lieutenant Governor.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Article IV, section 2, of the Constitution of the State of Hawaii shall be amended by deleting the period after the word "governor" in the second sentence, substituting a semicolon therefor and adding thereafter the following:

"provided that the votes cast in the general election for the nominee for governor shall be deemed cast for the nominee for lieutenant governor of the same political party."

SECTION 2. The foregoing amendment shall take effect upon compliance with the provisions of Article XV, section 3, of the Constitution of the State of Hawaii.

[Proposal passed the House March 2, 1964, passed the Senate March 9, 1964. Identical amendment passed the 1963 Legislature as H.B. 33.]

S. B. NO. 7

A Bill for an Act Proposing an Amendment to Article II, Section 1, of the Constitution of the State of Hawaii to Eliminate the Literacy Qualification for Voting.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to propose an amendment to Article II, section 1, of the Constitution of the State of Hawaii to eliminate the literacy qualification as a requisite for voting.

SECTION 2. Article II, section 1, of the Constitution of the State of Hawaii is hereby amended by deleting therefrom the last sentence which reads as follows:

"No person shall be qualified to vote unless he is also able, except for physical disability, to speak, read and write the English or Hawaiian language."

SECTION 3. The foregoing amendment shall take effect upon compliance with the provisions of Article XV, section 3 of the Constitution of the State of Hawaii.

[Notice given Governor March 6, 1964. Proposal passed each house by a two-thirds vote—the Senate on March 7, 1964, the House on March 21, 1964.]

H. B. NO. 253

A Bill for an Act Proposing an Amendment to Article IX, Section 5, of the Constitution of the State of Hawaii.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to remove the president of the University of Hawaii and the superintendent of public instruction from their present membership on the board of regents of the university.

SECTION 2. Article IX, section 5, of the Constitution of the State of Hawaii is hereby amended to read as follows:

“Section 5. There shall be a board of regents of the University of Hawaii, the members of which shall be nominated and, by and with the advice and consent of the senate, appointed by the governor. At least part of the membership of the board shall represent geographic subdivisions of the State. The board shall have power, in accordance with law, to formulate policy, and to exercise control over the university through its executive officer, the president of the university, who shall be appointed by the board.”

SECTION 3. The foregoing amendment shall take effect upon compliance with the provisions of Article XV, section 3, of the Constitution of the State of Hawaii.

[Notice given Governor March 14, 1964. Proposal passed each house by a two-thirds vote—the House on March 14, 1964, the Senate on March 25, 1964.]

H. B. NO. 421

A Bill for an Act Proposing an Amendment to Article IX, Section 3, of the Constitution of the State of Hawaii, Relating to the Superintendent of Public Instruction.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to propose an amendment to Article IX, section 3, of the Constitution of the State of Hawaii, to remove the superintendent of public instruction from membership on the board of education, to have him serve as secretary to the board of education, and to change the title of the position from the superintendent of public instruction to the superintendent of education.

SECTION 2. Article IX, section 3, of the Constitution of the State of Hawaii is hereby amended to read as follows:

“Section 3. The board of education shall have power, in accordance with law, to formulate policy, and to exercise control over the public school system through its executive officer, the superintendent of education, who shall be appointed by the board and shall serve as secretary to the board.”

SECTION 3. Article IX, section 5, of the Constitution of the State of Hawaii is hereby amended by deleting the words “the superintendent of public instruction” and substituting therefor the words, “the superintendent of education”.

SECTION 4. The foregoing amendment shall take effect upon compliance with the provisions of Article XV, section 3, of the Constitution of the State of Hawaii.

[Notice given Governor March 14, 1964. Proposal passed each house by a two-thirds vote—the House on March 14, 1964, the Senate on March 25, 1964.]

**TABLES SHOWING EFFECT OF ACTS
SECOND LEGISLATURE, REGULAR SESSION OF 1964
STATE OF HAWAII**

Key:

Am—Amended
R—Repealed
N—New Section

— Section numbers to be inserted
by Revisor of Statutes in the
Cumulative Supplement to the
Revised Laws of Hawaii 1955

A.

SECTIONS OF REVISED LAWS OF HAWAII 1955 AFFECTED

R.L.H. 1955 Sections	Effect	Act No.	R.L.H. 1955 Sections	Effect	Act No.
3-19	Am	28	C. 46	Am	32
5-8	Am	59	48A-2	Am	14
5-39.1	N	33	48A-3.1	N	14
5-72	Am	16	51-15	Am	15
5-—	N	63	51-52	Am	19
5A-4.1	N	43	C. 57	Am	32
6-4	Am	64	C. 58	Am	32
6-36.8	Am	62	C. 59	Am	32
6-40	Am	62	C. 60	Am	32
6-41	Am	62	C. 61	Am	32
6-42	Am	62	C. 62	Am	32
6-42.5	N	62	C. 62B	Am	32
6-45	Am	62	C. 63	Am	32
6-50	Am	62	C. 64	Am	32
6-71	Am	62	C. 66	Am	32
6-82	Am	62	C. 67	Am	32
6-83	Am	62	C. 68	Am	32
6-84	R	62	C. 69	Am	32
6-88	R	62	C. 70	Am	32
6-89	Am	62	C. 71	Am	32
6-90	R	62	71-1	Am	15
6-91	Am	62	71-19	Am	15
6-92	R	62	C. 72	Am	32
6-93	R	62	C. 73	Am	32
6-—	N	53	77-100 to 107		
C. 7	Am	32	(Pt. V)	N	22
7-20	Am	30	C. 88A	Am	32
7-—	N	2	90-3	Am	56
C. 7A	Am	32	90A-4	Am	44
11-99	Am	29	90A-5	Am	44
11-102	Am	29	90A-6	Am	44
11-194	Am	12	90A-8	Am	44
12-13	Am	38	90A-—	N	44
C. 13	Am	32	92-6	Am	46
14A-29	Am	37	93-1	Am	61
C. 20	Am	32	93-26	Am	61
C. 21	Am	32	93-28	Am	61
21-140	Am	45	93-60	Am	55
C. 22	Am	32	93-61	Am	55
C. 23	Am	32	93-62	Am	55
C. 24	Am	32	93-63	Am	55
C. 25	Am	32	93-65	Am	55
C. 26	Am	32	93-66	Am	55
C. 27	Am	32	93-67	Am	55
C. 32	Am	32	95-2	Am	20
38-30.5	Am	10	98M-9	Am	46
44-23	R	3	98N-2	Am	51
44-80 to 83 (Pt. V)	N	3	98R-2	Am	42
44-— to — (Pt. —)	N	39	98R-7	Am	42

R.L.H. 1955 Sections	Effect	Act No.	R.L.H. 1955 Sections	Effect	Act No.
98R-—	N	42	C. 169	Am	32
C. 103A	Am	32	C. 170	Am	32
103A-19	Am	35, 49	C. 170A	Am	32
103A-44	Am	47	170A-13	Am	8
C. 104	Am	32	170A-—	N	8
C. 106C	Am	32	C. 171A	Am	32
112-4	Am	26	C. 172	Am	32
C. 115	Am	32	C. 174	Am	32
115-33	Am	6	C. 175A	Am	32
117-21	Am	5	C. 176	Am	32
117-25	Am	23	176A-1	Am	41
118-4	Am	23	176A-2	Am	41
119-9	Am	23	176A-5	Am	41
121-17	Am	24	176A-6	Am	41
128-4	Am	21	176A-17	Am	41
128-8	Am	2	C. 178	Am	32
128-12	Am	21	C. 180	Am	32
128-13	Am	27	C. 181	Am	32
128-31	Am	7, 25	C. 181A	Am	32
128-32	Am	7	184-32	Am	32
129-2	Am	25	C. 186	Am	32
C. 132	Am	32	C. 187	Am	32
132-16	Am	34	C. 194	Am	32
132-17	Am	34	C. 195	Am	32
135-8	Am	32	C. 199	Am	32
160-162	Am	36	C. 204	Am	32
160-163	Am	36	C. 206	Am	32
160-165	Am	36	C. 276	Am	32
160-171	Am	36	291-10	Am	48
C. 163	Am	32	C. 323	Am	32
C. 164	Am	32	C. 327	Am	32
C. 165	Am	32	C. 342	Am	32
C. 165A	Am	32	C. 343	Am	32
C. 166	Am	32	C. 346	Am	32
C. 166A	Am	32	358-12	Am	46
C. 167	Am	32	359-13	Am	4
C. 168	Am	32			

B. SESSION LAWS OF HAWAII AFFECTED

Effect	Act No.	Effect	Act No.
Laws 1959		Laws 1962	
Special Session		Regular Session	
1	Am 17	(Continued)	
Laws 1960		32, s. 2-19	Am 35, 49
Special Session		s. 2-44	Am 47
6	Am 46	s. 2	Am 32
Laws 1961		Laws 1963	
Regular Session		Regular Session	
1	Am 17	1	Am 17
180	Am 8	29	Am 35
Laws 1962		74	Am 51
Regular Session		76	Am 42
1	Am 17	101	Am 8
28, ss. 3, 4	Am 60	168	Am 55
s. 8	Am 10	180	Am 44
30, s. 1-B-2-a, b	Am 40	201, s. 1-B-3-c	Am 31
s. 1-C-2-d	Am 57	s. 1-C-1-c	Am 57
s. 1-D-9-1	Am 57		

GENERAL INDEX

	ACT	PAGE
ACCOUNTING AND GENERAL SERVICES DEPARTMENT		
Appropriations		
improvements		
Hawaii	52	90
Honolulu	52	80
Kauai	52	94
Maui	52	86
operating expenses	50	63
Personnel		
architectural and engineering, position ceiling.....	50	64
motor pool	50	64
ADJUTANT GENERAL		
Defense Department (this index)		
ADULT EDUCATION		
State program, appropriation.....	50	51
AGED PERSONS		
Appropriations		
commission on aging.....	50	65
economic assistance	50	62
Lunalilo Home	50	68
medical care and services.....	50	62
AGRICULTURE		
Appropriations		
cooperative extension service.....	50	54
education program	50	50
experiment station	50	54
Farming (this index)		
AGRICULTURE DEPARTMENT		
Appropriations		
improvements, Honolulu	52	81
operating expenses	50	54
Fees, increase or decrease.....	32	32
AIR NATIONAL GUARD		
Appropriations	50	58
AIRPORTS		
Appropriations		
improvements		
Hawaii	52	88
Kauai	52	93
Lanai	52	85
Molokai	52	85
Oahu	52	76
Transportation Department, operating expenses.....	50	57
Employees, hazard pay differential.....	54	97
Special fund		
reimbursement of general obligation bond principal		
and interest	52	95
use for hazard pay differential.....	54	98
ALCOHOLISM		
Health Department services, appropriation.....	50	58

INDEX

	ACT	PAGE
ANIMALS		
Appropriations		
animal industry program, operating expenses.....	50	55
livestock		
disease control	50	55
reporting service	50	54
veterinary laboratory	50	55
Killing game mammals injurious to crops.....	45	46
ANTITRUST REGULATIONS		
Consumer protection program, appropriation.....	50	65
APPEALS BOARD		
Public employees, compensation, operating expenses.....	50	66
APPRENTICESHIP		
State program, appropriation	50	61
APPROPRIATIONS		
Allotment of funds to departments.....	50	71
Capital improvements		
general (see also specific project).....	52	74
1962 Act, amendments.....	40, 57	41, 103
1963 Act, amendments.....	57	103
Capital loan program.....	42	44
Departmental operating expenses (see also specific department or agency).....	50	50
Kuhio beach improvements.....	31	30
Lapse of legislative funds.....	17	16
Legislature, expenses	1	1
Principals of special schools, salary adjustment.....	10	9
Reduction by director of finance, limitation.....	50	72
Salary adjustments		
Classes I and II teachers.....	60	108
Abraham Kaahui	9	8
Social Services Department, supplementary appropriation.....	18	17
Transfer of funds		
capital improvements	52	96
operating expenses	50	71
AQUARIUM		
Appropriation, operating expenses.....	50	53
ARCHIVES		
Appropriation, operating expenses.....	50	63
Service fees, increase or decrease.....	32	32
ATTORNEY GENERAL		
Appropriation, operating expenses.....	50	64
Consumer protection, functions.....	50	65
Kuhio beach improvements, negotiation of agreement with private owners	31	30
ATTORNEYS		
Employment relations board, hearing officers.....	50, 56	61, 102
AUDIT		
Leahi hospital	50	67
Legislative accounts	1	1
AUTOMOBILE DEALERS AND SALESMEN		
County licensing boards.....	36	35
Licenses, generally	36	37
License, tax clearance not required.....	6	6
AUTOMOBILES		
Driver's license, tax clearance not required.....	6	6
Negligent homicide	48	49

INDEX

	ACT	PAGE
BANK EXAMINER		
Examination fees	32	32
BARBERS		
License, tax clearance not required.....	6	6
BEACHES		
Haleiwa beach, restoration.....	52	77
Kuhio beach improvements agreement.....	31	30
BEAUTY CULTURE		
License, tax clearance not required.....	6	6
BELLOWS AIR FIELD		
Acquisition, appropriation	40	41
BIOMEDICAL RESEARCH CENTER		
Appropriation	50	53
BIRDS		
Killing game birds injurious to forests or crops.....	45	46
BLIND PERSONS		
Appropriations		
economic assistance program.....	50	62
vocational rehabilitation program.....	50	62
Concessions in public buildings, preference allowed.....	30	29
Teacher positions	50	52
BOARDS AND COMMISSIONS		
Regulatory Agencies Department, operating expenses.....	50	66
Service fees, increase or decrease.....	32	32
BONDS		
Capital improvements		
authorization to issue.....	52	74
reimbursement of funds.....	52	95
Industrial development	58	104
University of Hawaii, parking facilities.....	3	4
BOTANICAL GARDEN		
Kauai, appropriation	52	95
BUDGET AND FINANCE DEPARTMENT		
Appropriation, operating expenses.....	50	65
Leahi hospital, audit and allotment of funds.....	50	67
Special funds, administration of.....	34	34
BUSINESS		
Capital loan program.....	42	43
Development corporations	41	41
Industrial development bonds.....	58	104
CAPITAL IMPROVEMENTS		
Appropriations (see also specific project).....	52	74
CAPITAL LOAN PROGRAM		
Amendments	42	43
CAPITOL		
Construction of new complex, appropriation.....	52	75
CEMETERIES		
Appropriation, expenses	50	68
CHILDREN		
Appropriations		
children and youth program.....	50	65
corrections program	50	61

INDEX

	ACT	PAGE
crippled children services.....	50	58
detention home, first circuit.....	50	60
economic assistance programs.....	50	62
foster care program.....	50	62
juvenile court	50	60
maternal and child health services.....	50	58
poliomyelitis immunization	50	59
Employment of minors, when excepted from discriminatory employment practices law.....	44	46
Foster care, general excise tax exemption.....	5	5
Youth Correctional Facility (this index)		
 CIRCUIT COURTS		
Appropriations		
improvements, first circuit.....	52	81
operating expenses	50	60
Elections, verification of voting machine records.....	12	11
 CIVIL DEFENSE		
Appropriations		
federal grant to Education Department, estimate.....	50	51
improvements		
Kauai	52	95
statewide	52	80
operating expenses	50	57
County government, continuity during emergency period.....	4	4
 CIVIL IDENTIFICATION BUREAU		
Appropriation	50	64
Fees, increase or decrease.....	32	32
 CIVIL SERVICE		
Exemption		
administrative assistant to superintendent of public instruction	50	52
Taxation Department positions.....	50	67
visitor information program, temporary personnel.....	50	57
 COMMUNITY COLLEGES		
Appropriations		
Honolulu	52	75
Maui	52	86
Authority to establish.....	39	40
 COMPENSATING TAX		
Quarterly returns	23	23
 CONCESSIONS ON PUBLIC PROPERTY		
Blind persons, preference allowed.....	30	29
 CONDOMINIUMS		
Horizontal property act, technical amendments.....	8	7
 CONSERVATION		
Soil and water, Agriculture Department program, appropriation	50	55
 CONSTITUTION, HAWAII		
Proposed amendments		
board of education, membership.....	H.B. 421	120
board of regents, membership.....	H.B. 253	119
lieutenant governor, manner of electing.....	H.B. 19	119
superintendent of public instruction, functions.....	H.B. 421	120
voters, literacy qualification.....	S.B. 7	119
 CONSUMPTION TAX		
Quarterly returns	23	24

INDEX

	ACT	PAGE
CONVEYANCES, BUREAU OF		
Appropriation, operating expenses.....	50	55
Fees, increase or decrease.....	32	32
COOPERATIVE EXTENSION SERVICE		
Appropriation, operating expenses.....	50	54
CORPS OF CIVILIAN WORKERS		
Distressed areas defined.....	51	74
CORRECTIONAL FACILITIES		
Prisons (this index)		
Youth Correctional Facility (this index)		
COUNTIES		
Bonds, industrial development.....	58	104
Continuity of government, civil defense emergency period.....	4	4
Elections, voting machines, canvass.....	12	11
Hawaii County (this index)		
Honolulu City and County (this index)		
Hospital subsidies	50	67
Kamehameha Day celebration, appropriation.....	50	64
Kauai County (this index)		
Maui County (this index)		
Neighbor island economic development, appropriation.....	50	56
Pensioners, free medical care and hospitalization.....	64	117
Reimbursement to State for employees health fund contributions	43	44
COURTS		
Appropriations		
improvements	52	81
operating expenses	50	60
Election records, verification.....	12	11
Justices and judges, retirement.....	62	112
CRIME STATISTICS BUREAU		
Appropriation	50	64
CRIMINAL LAW		
Mental health, use of protected research information.....	13	12
Negligent homicide	48	49
CROPS		
Marketing, reporting service program, appropriation.....	50	54
DATA PROCESSING SYSTEM		
Establishment, transfer of funds and personnel.....	50	66
DEFENSE DEPARTMENT		
Appropriations		
improvements		
Kauai	52	95
Oahu	52	80
operating expenses	50	57
DENTAL HEALTH		
State program, appropriation.....	50	58
DEPRESSED AREA REDEVELOPMENT		
Funds	46	48
DETENTION HOME		
Appropriation	50	60
DEVELOPMENT		
Appropriations		
Land and Natural Resources Department programs.....	50	55

INDEX

	ACT	PAGE
neighbor island economic development.....	50	56
Planning and Economic Development Department programs..	50	56
Business development corporations, amendments.....	41	41
Capital loan program, amendments.....	42	43
Industrial development bonds.....	58	104
Public Lands (this index)		
DIAMOND HEAD SCHOOL		
Appropriation	50	51
Principal, salary range.....	10	9
DISABLED PERSONS		
Handicapped Persons (this index)		
DISASTER RELIEF		
Funds, modified	46	48
DISEASES		
Appropriations		
communicable disease program.....	50	58
Hansen's disease program.....	50	58
Naalehu disease control.....	50	55
vector control program.....	50	58
DISTRICT COURT		
Kalawao county, appropriation.....	50	60
DRAWBRIDGE		
Operation, appropriation	50	57
Payment of expenses.....	26	26
DRUGS		
Health Department program, appropriation.....	50	58
Prescriptions by podiatrists.....	15	14
EAST-WEST CENTER		
Direct support funds.....	50	69
ECONOMIC RESEARCH CENTER		
Appropriation	50	53
EDUCATION		
Community colleges, authority to establish.....	39	39
Higher Education Facilities Commission.....	37	38
University of Hawaii (this index)		
Western Interstate Commission for Higher Education, appropriation	50	66
EDUCATION DEPARTMENT		
Appropriation, operating expenses.....	50	50
Board, constitutional amendment.....	H.B. 421	120
Libraries (this index)		
Personnel		
administrative assistant to superintendent.....	50	52
clerical positions, restoration.....	50	52
health coordinators	50	52
program specialists	50	52
transfer for community college program.....	39	40
Schools (this index)		
Superintendent, constitutional amendment.....	H.B. 253, 421	119, 120
Teachers (this index)		
ELECTIONS		
Appropriations	50	66
Lieutenant Governor, constitutional amendment.....	H.B. 19	119
Voters, constitutional amendment.....	S.B. 7	119
Voting machines		

INDEX

	ACT	PAGE
primary ballot	29	28
verification of canvass.....	12	11
EMPLOYMENT		
Prohibited discriminatory practices, definitions and exceptions..	44	45
EMPLOYMENT RELATIONS BOARD		
Appropriation	50	61
Hearings officer-counsel, employment of.....	50, 56	61, 102
EMPLOYMENT SECURITY LAW		
Contributions; credits, rates, wage exclusion.....	55	98
Eligibility for benefits; seasonal worker; weeks of employment..	61	109
EVIDENCE		
Information disclosed for medical research, use of.....	13	12
EXEMPTION FROM TAXATION		
Foster child care under State or eleemosynary program.....	5	5
Real property, home exemption.....	27	26
FARMING		
Farm loan program, appropriation.....	50	55
Killing birds or mammals injurious to crops.....	45	46
Public land development		
Hawaii	52	87
Molokai	52	84
Waimanalo, Oahu	52	76
FEDERAL AID		
Higher educational facilities.....	37	38
Hospital and medical facilities construction, mental health		
centers and mental retardation facilities.....	14	13
Manpower development and training program, authorization		
to participate in.....	11	10
Surplus property, revolving fund, reduction.....	38	38
FEES		
Automobile dealers and salesmen, license.....	36	37
Bank examiner	32	32
Land Use Commission, hearings, general fund realization.....	50	56
Services by state agencies, authority to increase or decrease.....	32	32
Tax maps, use and copies of	2	2
FIRE MARSHAL		
Appropriation	50	66
FIREMEN		
Retirement	62	112, 115
Sick leave	33	33
FISH		
Appropriations		
aquarium, operating expenses.....	50	53
fish and game program		
improvements		
Kauai	52	92
Wahiawa, Oahu	52	76
operating expenses	50	55
Hawaii marine laboratory, operating expenses.....	50	53
FLOOD CONTROL		
Appropriations		
Honolulu project	52	84
water and land development program.....	50	55

INDEX

	ACT	PAGE
FLOWERS AND FOLIAGE		
Appropriations		
Agriculture Department, plant industry program.....	50	55
botanical garden, Kauai.....	52	95
FOOD		
Distribution center, first increment, appropriation.....	52	76
Health Department programs, appropriation.....	50	58
Manufacture, use of poi shop.....	19	18
FOREIGN TRADE ZONE		
Appropriations		
center, establishment and operation.....	50	56
complex development	40	41
FORESTRY		
Improvements		
Hawaii	52	88
Kauai	52	92
Maui	52	84
Marketing survey, federal-state arrangement.....	50	56
State program, operating expenses.....	50	55
FOSTER HOME		
Exemption from general excise tax.....	5	5
FUNDS		
Appropriations (this index)		
Special funds, deduction for administrative expenses.....	34	34
GAME		
Appropriations		
fish and game program		
improvements		
Oahu	52	76
Kauai	52	92
operating expenses	50	55
Killing birds or mammals injurious to forests or crops.....	45	46
GENERAL EXCISE TAX		
Foster child care under State or eleemosynary program,		
exemption	5	5
Quarterly returns	23	22
GEOPHYSICS INSTITUTE		
Appropriations		
improvements	52	75
operating expenses	50	53
GOLF		
Appropriation		
international golf tournament, cosponsorship.....	50	56
Waiehu golf course, Maui.....	52	87
GORSE CONTROL		
Appropriation	50	62
GOVERNOR		
Appropriations		
contingent fund	50	66
executive flexibility fund.....	50	72
operating expenses	50	65
transfer of	50	71
Washington Place	50	65
Capital improvements		
deferment	52	95
initiation of projects.....	52	95

INDEX

	ACT	PAGE
Higher Education Facilities Commission, appointment.....	37	38
Public employment		
deletion of positions.....	50	72
new positions, creation and allocation.....	50	72
surplus positions, declaring of.....	50	70
Service fees, increase or decrease, approval.....	32	32
GRADING		
Meat, animal industry program, appropriation.....	50	55
HALE MOHALU		
Appropriation, operating expenses.....	50	58
HANDICAPPED PERSONS		
Appropriations		
crippled children services.....	50	58
economic assistance for disabled persons.....	50	62
instruction and school services.....	50	50
vocational rehabilitation program.....	50	51, 62
Blind Persons (this index)		
Mental Retardation (this index)		
HANSEN'S DISEASE		
Health Department program, appropriation.....	50	58
HARBORS		
Appropriations		
improvements		
Hawaii	52	89
Kauai	52	93
Maui	52	85
Oahu	52	77
Snug Harbor complex, acquisition.....	40	41
Transportation Department, operating expenses.....	50	57
Bonds, revenue, authority to issue.....	52	95
Honolulu drawbridge expenses.....	26, 50	26, 57
HAWAII COUNTY		
Appropriations		
hospitals	50	68
improvements	52	87
Kamehameha Day	50	64
veterans' cemetery	50	68
Community college, not to be established in.....	39	40
HAWAII HOUSING AUTHORITY		
Housing Authority (this index)		
HAWAII STATE PRISON		
Prisons (this index)		
HAWAII VISITORS BUREAU		
Tourism promotion, appropriation.....	50	56
HAWAIIAN HOME LANDS DEPARTMENT		
Appropriation		
development		
Kauai	52	94
Oahu	52	79
operating expenses	50	69
HAWAIIANA		
Appropriations		
Captain Cook memorial.....	50	63
Kamehameha Day celebration.....	50	64
language and culture, University of Hawaii program.....	50	53

INDEX

	ACT	PAGE
HAZARDS		
Airport employees, pay differential.....	54	98
HEALTH DEPARTMENT		
Appropriations		
improvements		
Maui	52	86
Oahu	52	79
operating expenses	50	58
Service fees, increase or decrease.....	32	32
HEALTH EDUCATION		
Appropriations		
Health Department program.....	50	58
school program	50	50
HERBICIDE		
Plant industry program, appropriation.....	50	55
HIGHER EDUCATION FACILITIES COMMISSION		
Establishment	37	38
HIGHWAYS		
Appropriations		
county projects		
Hawaii	52, 57	91, 103
Honolulu	52	84
state projects		
Hawaii	52	89
Honolulu	52	77
Kauai	52	93
Maui	52	85
studies	52	76
Transportation Department, operating expenses.....	50	57
Rights of way, funds for planning and construction.....	35	35
Special fund, reimbursement of general obligation bond		
principal and interest.....	52	95
HISTORIC SITES		
Restoration, Maui, appropriation.....	52	87
HOLIDAYS		
Public employees, when observed.....	16	15
HOMES		
Public housing tenants, down payment reserve plan.....	22	20
Public lands houselot development		
Hawaii	52	87
Kauai	52	91
Oahu	52	76
HONOLULU CITY AND COUNTY		
Appropriations		
hospitals	50	68
improvements	52	76
Kamehameha Day	50	64
HONOLULU SYMPHONY SOCIETY		
Student concerts, neighbor islands, matching funds.....	50	52
HORIZONTAL PROPERTY REGIMES		
Declaration; trust fund for financing construction.....	8	8
HOSPITALS		
Appropriations		
Hawaii county	50	68
Health Department medical facilities program.....	50	58

INDEX

	ACT	PAGE
Hilo Hospital	50, 52	68, 91
Honolulu city and county.....	50	68
Kahuku Hospital	52	79
Kauai county	50	68
Kauai Veterans Memorial Hospital.....	52	95
Kula Sanatorium	50, 52	67, 87
Leahi Hospital	50	67
Maui county	50	68
Maui Memorial Hospital.....	52	87
Samuel Mahelona Memorial Hospital.....	50, 52	68, 94
school program	50	51
State Hospital (this index)		
Mental health centers and mental retardation facilities, construction, eligibility for federal funds.....	14	13
Pensioners, care of, county expense.....	64	117
HOTELS		
Restaurant training program, school building, appropriation.....	52	79
HOUSE OF REPRESENTATIVES		
Legislature (this index)		
HOUSING AUTHORITY		
Appropriations		
dwelling units		
Hawaii	52	90
Kauai	52	94
Maui	52	86
Oahu	52	80
operating expenses	50	61
Bonds, revenue, authority to issue.....	52	96
Down payment reserve plan for home ownership.....	22	20
Personnel, engineering services, housing management and maintenance	50	62
HYDROGRAPHY		
Water resources survey, appropriation.....	50	55
IMPROVEMENT DISTRICTS		
Residential subdivisions, public lands.....	47	48
INCOME TAX		
Withholding by employers, quarterly returns.....	24	24
INDIGENT PERSONS		
Appropriations		
assistance	50	62
poliomyelitis immunization	50	59
supplement	18	17
INDUSTRIAL DEVELOPMENT		
Bonds	58	104
INSPECTION		
Appropriations		
animal industry program.....	50	55
meat	50	55
plant industry program.....	50	55
INSTITUTIONS		
Appropriations		
corrections division, Social Services Department.....	50	61
school program	50	51
INSURANCE		
State fund, appropriation.....	50	63

INDEX

	ACT	PAGE
INTOXICATING LIQUOR		
License, tax clearance.....	6	6
IRRIGATION		
Appropriations		
Kauai projects	52	92
Molokai		
irrigation and water utilization project.....	52	85
operating expenses	50	56
revolving fund	50	56
Waimanalo	50	56
Waimea	50	56
JUDICIARY DEPARTMENT		
Appropriations		
improvements, Honolulu judiciary building.....	52	81
operating expenses	50	60
Fees, restriction on.....	32	32
Courts (this index)		
JURY		
Appropriation, trial expenses.....	50	60
JUVENILE COURT		
Appropriation	50	60
JUVENILES		
Children (this index)		
JUSTICES AND JUDGES		
Retirement	62	112
AAAHUI, ABRAHAM		
Salary adjustment	9	8
KALAUPAPA SETTLEMENT		
Appropriations		
improvements	52	86
Kamehameha Day	50	64
operating expenses	50	58
KAMEHAMEHA DAY		
Celebration expenses, appropriation.....	50	64
KAUAI COUNTY		
Appropriations		
hospitals	50	68
improvements	52	91
Kamehameha Day	50	64
mentally retarded children, training center.....	50	60
veterans' cemetery	50	68
KINDERGARTENS		
Schools (this index)		
KUHIO BEACH		
Improvements, agreement	31	30
LABOR AND EMPLOYMENT		
Employment Relations Board (this index)		
Employment Security Law (this index)		
Prohibited discriminatory practices, definitions and exceptions..	44	45
Public employees, prohibition against working for employer		
engaged in lockout or strike.....	59	107
LABOR AND INDUSTRIAL RELATIONS DEPARTMENT		
Appropriation, operating expenses.....	50	61

INDEX

	ACT	PAGE
Manpower development and training program, authorization to participate in.....	11	10
Service fees, increase or decrease.....	32	32
LANDS		
Hawaiian Home Lands Department (this index)		
Public Lands (this index)		
LAND AND NATURAL RESOURCES DEPARTMENT		
Appropriations		
improvements		
Hawaii	52	87
Honolulu	52	76
Kauai	52	91
Maui	52	84
operating expenses	50	55
Killing game birds or mammals injurious to forests or crops.....	45	46
Public Lands (this index)		
Service fees, increase or decrease.....	32	32
Water (this index)		
LAND COURT		
Appropriation	50	60
Fees, increase or decrease.....	32	32
LAND STUDY BUREAU		
Appropriation	50	53
Basic land classification, completion of	50	54
LAND USE COMMISSION		
Appropriation, operating expenses.....	50	56
LANGUAGES		
Hawaiian language, preservation, University of Hawaii.....	50	53
Specialist, Education Department.....	50	52
LEAHI HOSPITAL		
Audit and allotment of funds.....	50	67
Personnel, approval before filling vacancy.....	50	68
Subsidy	50	67
LEASES		
Horizontal property regimes, financing requirements prior to completion	8	7
Real property taxes, lessee as owner.....	21	19
LEAVES OF ABSENCE		
Firemen, sick leave.....	33	33
LEGISLATIVE REFERENCE BUREAU		
Appropriation	50	53
LEGISLATURE		
Accounts, audit and report on.....	1	1
Committees, post-session, appropriation.....	1	1
Expenses, appropriation	1	1
Lapse of appropriations.....	17	16
Legislators, expenses	1	1
Pre-session expenses	1	1
Reports, expenses	1	1
LIBRARIES		
Appropriations		
improvements		
Honolulu	52	79
Maui	52	86
supreme court library.....	52	81
University of Hawaii, graduate research.....	52	75

INDEX

	ACT	PAGE
operating expenses		
public library services	51	51
school services	50	51
supreme court library	50	60
University of Hawaii	50	53
Hours open to public	50	52
LICENSES		
Automobile dealers and salesmen	36	37
Hunting	45	46
Regulatory Agencies Department program, appropriation	50	66
Tax clearance	6	5
LIEUTENANT GOVERNOR		
Election		
appropriations	50	66
constitutional amendment	H.B. 19	119
primary ballot	29	29
voting machines, canvass	12	11
Operating expenses, appropriations	50	66
LIQUOR		
License, tax clearance requirement	6	6
LIVESTOCK		
Appropriations		
disease control	50	55
marketing, reporting service	50	54
LOANS		
Business development corporations	41	41
Capital loan program	42	43
Disaster commercial loans, funds	46	47
Farm loan program, appropriation	50	55
Veterans loan program, appropriation	50	65
LUNALILO HOME		
Subsidy	50	68
MANAGEMENT		
Departmental studies, restriction on	50	72
MANPOWER DEVELOPMENT AND TRAINING		
Appropriation	50	50, 52
Authorization to participate in program	11	10
MAPS		
Real property tax, use and copies of, fees	2	2
MARKETING		
Appropriations		
business and distributive education	50	50
forest marketing survey	50	56
marketing and economics program	50	54
news service program	50	54
products promotion program	50	56
MAUI COUNTY		
Appropriations		
hospitals	50	68
improvements	52	84
Kamehameha Day	50	64
veterans' cemetery	50	68
MEAT		
Inspection and grading program, appropriation	50	55

INDEX

	ACT	PAGE
MEDICAL CARE AND SERVICES		
Appropriations		
Health Department programs.....	50	58
public employees, group plan.....	50	65
Social Services Department program.....	50	62
Pensioners, free treatment and hospitalization.....	64	117
MEDICINE		
Biomedical research center, appropriation.....	50	53
Prescriptions by podiatrists.....	15	14
Veterinary laboratory, appropriation.....	50	55
MENTAL HEALTH		
Hospital and medical facilities construction.....	14	13
Research, use of information, restriction.....	13	12
State program, appropriation.....	50	59
MENTAL RETARDATION		
Appropriations		
Education Department program.....	50	50
Health Department program.....	50	59
Hospital and medical facilities construction.....	14	13
Research, use of information, restriction.....	13	12
MINORS		
Children (this index)		
MOLOKAI		
Appropriations		
airport improvements	52	85
irrigation system		
improvements	52	85
operating expenses	50	56
mentally retarded children, training center.....	50	60
Forestry camp, recommendations to legislature.....	50	63
MONOPOLIES AND COMBINATIONS		
Attorney General, consumer protection program, appropriation..	50	65
MOSQUITO CONTROL		
Appropriation	50	58
MOTOR POOL		
Appropriation	50	64
Personnel	50	64
MOTOR VEHICLES		
Driver's license, tax clearance not required.....	6	6
Negligent homicide	48	49
MOTOR VEHICLE DEALERS LICENSING BOARD		
Establishment, county agency.....	36	36
Funds	36	36
Personnel	36	36
NAALEHU DISEASE CONTROL		
Animal industry program, appropriation.....	50	55
NATIONAL GUARD		
Appropriation	50	58
NATURAL RESOURCES		
Land and Natural Resources Department (this index)		
NEGLIGENT HOMICIDE		
Degrees; penalties	48	49

INDEX

	ACT	PAGE
NEIGHBOR ISLAND ECONOMIC DEVELOPMENT		
Appropriation	50	56
NURSING		
Public health nursing program, appropriation.....	50	59
PACIFIC WAR MEMORIAL COMMISSION		
Appropriations		
Keehi Lagoon memorial.....	52	81
operating expenses	50	68
PARKING		
University of Hawaii.....	3	3
PARKS		
Appropriations		
county improvements, Honolulu.....	52	83
state improvements		
Hawaii	52	88
Honolulu	52	76
Kauai	52	92
Maui	52, 57	84, 103
state program, operating expenses.....	50	55
PAROLES AND PARDONS		
Paroles and pardons of felons program, appropriation.....	50	61
PENSIONS		
Bonus, appropriation	50	65
Medical care for pensioners.....	64	117
Retirement System (this index)		
PERSONNEL SERVICES DEPARTMENT		
Appropriation, operating expenses.....	50	66
PHARMACY		
Prescriptions by podiatrists.....	15	14
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		
Appropriations		
general plan, updating of.....	52	81
operating expenses	50	56
Capital loan program.....	42	42
Industrial development bond program.....	58	105
PODIATRISTS		
Prescription for drugs, writing of.....	15	14
POI		
Manufacture	19	18
POLICE		
Compensation, appearance in court on day-off.....	63	117
Retirement	62	112, 115
POLIOMYELITIS		
Immunization program, appropriation.....	50	59
PRISONS		
Appropriations		
Kulani Honor Camp.....	50	61
Olinda Honor Camp.....	50	62
State Prison	50, 52	61, 80
School principal, salary range.....	10	10
PRIVILEGED COMMUNICATION		
Disclosure for mental health research.....	13	12

INDEX

	ACT	PAGE
PROBATION		
Circuit court programs, appropriation.....	50	60
PRODUCTS PROMOTION		
Appropriation	50	56
PUBLIC ARCHIVES		
Appropriation, operating expenses.....	50	63
Service fees, increase or decrease.....	32	32
PUBLIC CONTRACTS		
Tax maps, use and copies of.....	2	2
PUBLIC HOUSING		
Housing Authority (this index)		
PUBLIC LANDS		
Development		
Hawaii	52	87
Kauai	52	91
Maui	52	84
Molokai	52	84
Oahu	52	76
Funds		
reimbursement of general obligation bond principal and interest	52	95
use for rights of way purposes.....	35	35
Parks (this index)		
Public trust fund, appropriation.....	50	70
Residential subdivisions, improvement district assessments.....	47	48
Rights of way, funds for.....	35	35
Sale of remnants, proceeds into general fund.....	49	49
State program, operating expenses.....	50	55
PUBLIC LIBRARIES		
Libraries (this index)		
PUBLIC OFFICERS AND EMPLOYEES		
Airport division, hazard pay.....	54	97
Civil Service (this index)		
Deletion of positions, governor to make.....	50	72
Holidays, when observed.....	16	15
Maximum number of positions.....	50	71
Medical and hospital care		
appropriation	50	65
premium rebate fund.....	50	65
reimbursement of state contributions to health fund.....	43	44
Motor vehicle dealers licensing boards, transfer to counties.....	36	35
New positions, creation and allocation by governor.....	50	72
Position downgrading, no reimbursement of overpayment.....	28	27
Principals, special schools, salary range.....	10	9
Restrictions on employment, working for employer engaged in labor dispute.....	59	107
Retirement System (this index)		
Sick leave, firemen.....	33	33
Surplus positions		
action by governor.....	50	70
appropriation for salaries.....	50	65
lapsing of appropriation after offer of new position to incumbent	50	65
Teachers (this index)		
Wages and Salaries (this index)		
Vacant positions occurring after July 1, 1964.....	50	72

INDEX

	ACT	PAGE
PUBLIC PROPERTY		
Federal surplus property revolving fund		
estimate	50	64
reduction	38	38
PUBLIC RECORDS		
Copies, fee increase or decrease.....	32	32
PUBLIC TRUST FUND		
Appropriation	50	70
PUBLIC UTILITIES COMMISSION		
Appropriation	50	66
PUBLIC WELFARE		
Social Services Department (this index)		
PUBLIC WORKS		
State division, appropriation.....	50	64
QUARANTINE		
Appropriations		
animal industry program.....	50	55
plant industry program.....	50	55
REAL PROPERTY TAXES		
Assessment	21	19
Bills and payments, date of.....	7	6
Home exemption	27	26
Lessee as owner.....	21	19
Maps, use and copies of, fees.....	2	2
Minimum rate	25	25
REGULATORY AGENCIES DEPARTMENT		
Appropriation, operating expenses.....	50	66
Service fees, increase or decrease.....	32	32
Surplus positions as of July 1, 1963, limitation on benefits.....	50	73
RELIGIOUS ORGANIZATIONS		
Excepted from discriminatory employment practices law.....	44	46
REMNANTS		
Public lands, proceeds of sale.....	49	49
RENT		
Public housing, down payment reserve plan.....	22	20
REPORTS		
Consumer protection	50	65
Corrections services program.....	50	63
Industrial development bonds.....	58	106
Legislative expenses	1	1
Supreme Court, Hawaii Reports.....	50	60
Tax revenues	50	67
RESEARCH AND STUDIES		
Agriculture Department program.....	50	54
Fish and game program.....	50	55
Forestry	50	55
Health Department projects.....	50	58
Highways	52	76
Land classification, completion by Land Study Bureau.....	50	54
Management practices, studies by departments restricted.....	50	72
Mental health, restriction on use of information.....	13	12
University of Hawaii, organized research programs.....	50	53
RESORT FACILITIES		
Appropriations, Maui	57	103

INDEX

	ACT	PAGE
RETARDED PERSONS		
Mental Retardation (this index)		
RETIREMENT SYSTEM		
Actuarial investigations and valuations (6-71).....	62	114
Allowance		
options (6-50)	62	113
ordinary disability retirement (6-45).....	62	113
service retirement (6-42).....	62	111
Appeals, medical board decisions.....	53	97
Contributions		
generally (6-84, 88—93).....	62	115
rate of (6-82).....	62	115
refund of (6-42.5).....	62	113
Creditable service (6-40).....	62	111
Deduction from salary (6-83).....	62	115
Elective officer (6-42, 45).....	62	111, 113
Fireman (6-42, 82).....	62	112, 115
Judge (6-42, 45).....	62	112, 113
Legislator (6-41)	62	111
Medical board decision, appeals from.....	53	97
Operating expenses, appropriation.....	50	65
Options of retirement allowance (6-50).....	62	113
Police (6-42, 82).....	62	112, 115
Post retirement funds (6-82).....	62	115
Prior service credit, per diem employment (6-36.8).....	62	110
Refund of contributions (6-42.5).....	62	113
Salary deduction (6-83).....	62	115
Selection of allowance (6-50).....	62	113
Service retirement (6-41).....	62	111
REVENUE BONDS		
Capital improvements, generally.....	52	74
University of Hawaii, parking facilities.....	3	3
REVISOR OF STATUTES		
Appropriation	50	60
RIGHTS OF WAY		
Use of special land and development fund for.....	35	35
RODENT CONTROL		
Appropriation	50	58
RULES AND REGULATIONS		
Concessions in public buildings, blind persons.....	30	30
Industrial development bonds.....	58	105
Parking, University of Hawaii.....	3	3
Taxation, quarterly returns.....	23	22
SAFETY		
Industrial safety program, appropriation.....	50	61
SALARIES		
Wages and Salaries (this index)		
SAMUEL MAHELONA MEMORIAL HOSPITAL		
Appropriation, improvements	52	94
Personnel reclassification	50	60
Subsidy, appropriation	50	68
SAND ISLAND DEVELOPMENT		
Foreign trade zone complex.....	40	41
Income appropriated to University of Hawaii.....	50	69
Reimbursement of bond funds.....	52	95
SANITATION		
Health Department program, appropriation.....	50	58

INDEX

	ACT	PAGE
SCHOLARSHIPS		
Social welfare services program, appropriation.....	50	63
SCHOOLS		
Appropriations		
books	50	51
county improvements		
Hawaii	52	90
Honolulu	52	81
Kauai	52	94
Maui	52	86
kindergartens	50	50
library services	50	51
lunch services	50	51
milk subsidy, federal grant estimate.....	50	51
operating expenses	50	50
public trust fund.....	50	70
state improvements		
Hawaii technical school.....	52	90
Honolulu	52	79
Kauai	52	94
vocational education	50	50
Cafeteria special fund, not subject to deduction for		
general fund reimbursement.....	34	34
Kaioli School, name and status.....	50	52
Special schools, principals, salary range.....	10	9
Teachers (this index)		
Technical schools		
community colleges	39	39
principals, salary range.....	10	9
teacher position ceiling.....	50	52
SEED		
Plant industry program, appropriation.....	50	55
SHERIFF		
Operating expenses, appropriation.....	50	64
SICK LEAVE		
Firemen	33	33
SIGHT CONSERVATION		
Blind Persons (this index)		
SMALL BUSINESS ADMINISTRATION		
Exclusion from membership in business development		
corporation	41	41
Loans, corporations assisted under capital loan program.....	42	43
SOCIAL SCIENCES		
Research institute, appropriation.....	50	53
SOCIAL SERVICES DEPARTMENT		
Appropriations		
improvements, Oahu	52	80
operating expenses	50	61
supplementary	18	17
Report, corrections services program.....	50	63
SOIL CONSERVATION		
Agriculture Department program, appropriation.....	50	55
SPECIAL FUNDS		
Administrative expenses, general fund reimbursement.....	34	34
STADIUM		
Hanapepe, Kauai, appropriation.....	52	95

INDEX

	ACT	PAGE
STATE HOSPITAL		
Appropriations		
improvements	52	79
operating expenses	50	59
STATE OF HAWAII		
See specific state department, agency or program		
STATE PRISON		
Prisons (this index)		
STEVEDORING INDUSTRY		
Funds for government operations.....	46	47
STREETS		
Highways (this index)		
STUDIES		
Research and Studies (this index)		
SUBDIVISIONS		
Public lands, improvement district assessments.....	47	48
SUBVERSIVE ACTIVITIES COMMISSION		
Appropriation	50	64
SUPREME COURT		
Appropriation, operating expenses.....	50	60
SYMPHONY		
Student concerts, neighbor island tours, matching funds.....	50	52
TAX APPEAL COURT		
Appropriation	50	67
TAX BOARD OF REVIEW		
Appropriation	50	67
TAX CLEARANCE		
Liquor license subject to.....	6	6
TAXATION		
Assessment of property, lessee as owner.....	21	19
Foster child care under State or eleemosynary program,		
exemption	5	5
Home exemption	27	26
Maps, use and copies of, fees	2	2
Rates, minimum real property	25	25
Returns		
compensating tax	23	23
consumption tax	23	24
general excise tax	23	22
income tax	24	24
real property tax	7	6
TAXATION DEPARTMENT		
Appropriation		
improvements, Honolulu	52	81
operating expenses	50	66
Personnel, positions exempt from civil service.....	50	67
Report, additional revenues without tax increase.....	50	67
Service fees, increase or decrease.....	32	32
TEACHERS		
Allocation of positions.....	50	52
Number of positions		
basis for determining.....	50	52
maximum not limited.....	50	72
Principals of special schools, salary range.....	10	9

INDEX

	ACT	PAGE
Salary adjustment, classes I and II.....	60	108
Sight-saving teacher positions.....	50	52
Technical schools, position ceiling.....	50	52
Training program, appropriation.....	50	51
Workshops and summer institutes, appropriation.....	50	52
TECHNICAL SCHOOLS		
Community colleges	39	39
Principals, salary range.....	10	9
Teachers, position ceiling.....	50	52
TOURISM		
Appropriations		
promotion program	50	56
visitor information program.....	50	57
TRANSPORTATION DEPARTMENT		
Airport employees, differential pay for hazardous duties.....	54	97
Appropriations		
improvements		
Hawaii	52	88
Honolulu	52	76
Kauai	52	93
Maui	52	85
operating expenses	50	57
studies, highways	52	76
Bonds, revenue, authority to issue.....	52	96
TRAVELING EXPENSES		
Legislators	1	1
TUBERCULOSIS		
Appropriations		
control program	50	58
hospital subsidies	50	67
UNEMPLOYMENT		
Corps of civilian workers, distressed areas defined.....	51	74
Employment Security Law (this index)		
Manpower development and training program		
authorization to Labor and Industrial Relations		
Department to participate in.....	11	10
federal grant, estimate.....	50	50
limitation on	50	52
UNIVERSITY OF HAWAII		
Appropriations		
East-West direct support funds.....	50	69
improvements		
Hilo campus	52	90
Manoa campus	52	75
Maui	52	86
Morrill Act income.....	50	69
operating expenses	50	53
reduction by indirect overhead funds.....	50	69
Sand Island income.....	50	69
Board of regents, constitutional amendment.....	H.B. 253	119
Community colleges		
authority to establish.....	39	39
Honolulu	52	75
Maui	52	86
Fees, restriction on	32	32
Parking facilities; regulations, revenue bonds, revolving fund.....	3	3
President, constitutional amendment.....	H.B. 253	119
Staff		
contracts for instructional personnel.....	50	54

INDEX

	ACT	PAGE
new positions	50	73
number of faculty positions, maximum not limited.....	50	72
recruitment of new instructional positions.....	50	54
transfer for community college program.....	39	40
VECTOR CONTROL		
Health Department program, appropriation.....	50	58
VETERANS		
Appropriations		
cemeteries	50	68
Education Department, federal grant, estimate.....	50	51
loan program	50	65
paraplegics, aid for.....	50	62
VETERINARY MEDICINE		
Laboratory, appropriation	50	55
VISITORS BUREAU		
Tourism promotion, appropriation.....	50	56
VOCATIONAL EDUCATION		
Community colleges for.....	39	39
State program, appropriation.....	50	50
VOCATIONAL REHABILITATION		
Appropriations		
development center, Fort Ruger.....	52	79
State program	50	51
visually handicapped, program for.....	50	62
VOTERS		
Qualification, constitutional amendment.....	S.B. 7	119
VOTING MACHINES		
Canvass of votes, verification.....	12	11
Primary ballots	29	28
WAGES AND SALARIES		
Police, appearance in court on day-off.....	63	117
Principals, special schools.....	10	9
Public employees		
airports, hazard pay differential.....	54	97
position downgrading, no reimbursement of overpayment.....	28	27
Semi-monthly payday, exception.....	20	18
Teachers, salary adjustment.....	60	108
WAIMANALO, OAHU		
Agricultural subdivision	52	76
Development	40, 52	41, 76
Irrigation system	50	56
WAIMANO TRAINING SCHOOL AND HOSPITAL		
Appropriations		
improvements	52	79
operating expenses	50	59
Personnel	50	60
WASHINGTON PLACE		
Appropriations		
operating expenses	50	65
restoration	52	80

INDEX

	ACT	PAGE
WATER		
Appropriations		
Irrigation (this index)		
Land and Natural Resources Department program		
improvements		
Hawaii	52	88
Kauai	52	92
Molokai irrigation project.....	52	85
operating expenses	50	55
water systems		
Hawaii	52	91
Kauai	52	92
Maui	52	87
WEEDS		
Plant industry program, appropriation.....	50	55
WELFARE		
Social Services Department programs, appropriation.....	50	61
WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION		
Appropriation	50	66
WILDLIFE		
Game (this index)		
WORKMEN'S COMPENSATION		
State program, operating expenses, appropriation.....	50	61
YOUTH CORRECTIONAL FACILITY		
Appropriations		
detention and rehabilitation program.....	50	61
Oahu, improvements	52	80
school program	50	51
Olomana School		
principal, salary range.....	10	9
teacher-pupil ratio	50	52
ZONING		
Land Use Commission, appropriation.....	50	56